CUSTOMARY LAWS AND PRACTICES
RIANGS OF TRIPURA

DR.BIBHAS KANTI KILIKDAR

TRIBAL RESEARCH AND CULTURAL INSTITUTE
GOVERNMENT OF TRIPURA, AGARTALA

CUSTOMARY LAWS AND PRACTICES

THE RIANGS OF TRIPURA

By
Dr. Bibhas Kanti Kilikdar

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Govt. of Tripura

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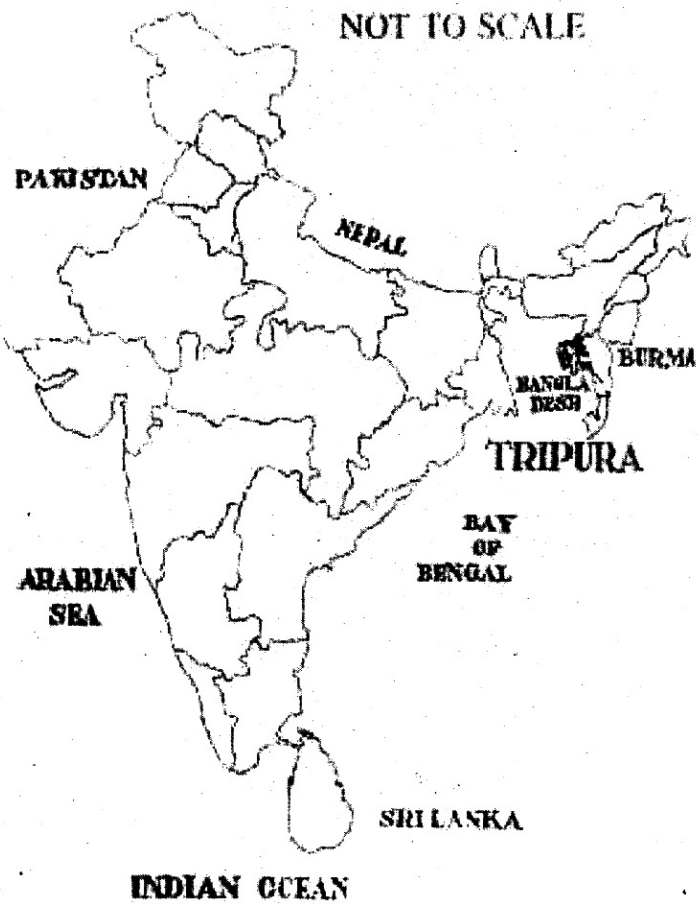
TO
THE RIANGS

MAP OF INDIA


NOT TO SCALE
PAKISTAN
NEPAL
BURMA
BANGLA DESH
TRIPURA
BAY OF BENGAL
ARABIAN SEA
SRI LANKA
INDIAN OCEAN

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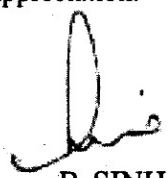
Foreword

The Riang Community is the second largest tribe of Tripura. Despite the pervasive impact of modernity and sustained efforts for integrating them with the mainstream of the society, still a sizeable portion of the total Riang population of the state is regarded as the only primitive group in the state. Like any other primitive groups of the country, the Riangs of Tripura have also their colourful heritage and distinct cultural identity, social codes and taboos etc. For self-governance of their socio-economic life the community had their distinguishable village-based traditional institutions and administrative set-up.

Till date there has been as such no comprehensive attempt for documentation of the laws and rules that are and have been governing the ways of life of this primitive community. Therefore, the present endeavour of Dr. B. K. Kilikdar for studying the customary laws of the Riangs of Tripura is noteable and praiseworthy.

I am confident that this study shall not only attract the scholars of the like but also form an original source of further study on the customary laws.

For undertaking such a painstaking study the author of the work deserves our sincere thanks and appreciation.



B. SINHA
Secretary
Tribal Welfare Department
Government of Tripura
Agartala

Dated : Agartala
the Oct, '98

Foreword

This is the proud privilege of the Tribal Research and Cultural Institute, Govt. of Tripura to present the 2nd Edition of the present book in the hands of our esteemed readers. The utility of this book will be evident from the fact that the 1st Edition has totally been exhausted within a few years. However, the pressing demand for the next edition has encouraged us to publish this Edition. The contents of the book have been thoroughly revised and every care has been taken to update the matter.

I am confident that the book shall not only stimulate the scholars doing research in this line but also form an original source for further study on the customary laws of all the tribal people of Tripura and other parts of the country.

(Sunil Debbarma)
Director
Tribal Research & Cultural Institute
Government of Tripura
Agartala

Dated : Agartala
the 1st March, '17

PRELUDE

The present book is the outcome of years of research and intensive investigation at the grass-root level of the Riang society of Tripura carried out by Dr. Bibhas Kanti Kilikdar. As there is paucity of archival material and written documents for constructing history and culture of any primitive tribe, oral sources are given importance. As there are many limitations of oral history, the author has adopted the painstaking and strenuous methods of participation and close observations and then seeking answers to model questionnaires and a number of queries on various aspects of the customs and traditions of the Riang people and finally cross-verification of the information from the old and youth, literate and illiterate, rural and urban Riang people and also from male and female. The data collected from other sources have also been used to cross-check the information collected from the grass-root level. Thus all the conclusions in the present book appear to be very much dependable.

The present book is, in fact, a new addition to the hitherto unknown chapter of the social history of the Riang people of Tripura. For the codification of customary laws of the tribal people of Tripura, the present book will be of immense help and use. It will also be bery helpful for judicial administration. The author deserves high appreciation from all quarters. I shall be happy if Dr. Kilikdar's work stimulates the collection and study of the customary practices of all the tribal people of Tripura and other parts of the country.

Mahadev Chakravarti

Dr. Mahadev Chakravarti
Mahatma Gandi Professor of History
&
Head, Department of History,
Tripura University

Agartala
17 July, 1998

ACKNOWLEDGEMENT

The present work is the out come of years of research under the supervision of Professor Mahadev Chakravarty, who introduced me to the world of traditional scholarship in letter and spirit. Without his scholarly guidance and leading counsel, it would hardly be possible on my part to give the present shape to this strenuous work.

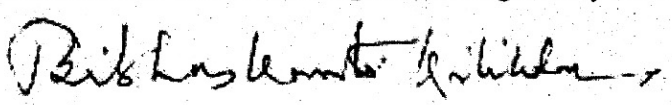
A work of this nature requires help from many quarters, and I got it. During field survey many Riangs of Tripura gladly offered food, shelter and information. They appreciated, encouraged and felt the necessity of a written history of their customs and traditions. My sincere thanks are due to all of them. To mention the names of a few in particular, Sri Gitya Kumar Riang, Sri Dastaram Riang and Sri Pancharam Riang.

I am grateful to Sri Bajuban Riang who gave me interviews with patience and despite his preoccupations helped me in finding out the old and existing customs.

For this study, I am indebted to many of my friends, well-wishers and a large number of persons and institutions who encouraged and helped me a lot to complete this work. Without their ungrudging assistance it would not have been possible to find out the rare materials necessary for this work. Some of them need particular mention. They are Dr. Prodip Nath Bhattacharjee, Dr. Surajit Chakraborty, Sri Gurudas Chaudhury, Sri Guruprasad Chakraborty, Sri Nepal De and Sri Subir Datta who helped me in many ways in this respect.

Though it is not possible to remember the names of all those persons who extended their helping hands in preparing this thesis, I must not be forgetful of my indebtedness to them. I remember their help with thankfulness.

Lastly, I am grateful to my wife Smt. Krishna Kilikdar for her sincere assistance and constant encourgement throughout my studies.



PREFACE

STATEMENT OF PROBLEM

The Riang, the second major tribe in Tripura, have no recorded history. Customs and customary practices sometime act as great indicators to understand a tribe or a group of people. But the pictures of traditional institutions, social customs, usages and customary laws and practies of the Riangs of Tripura are not to be found in their entirety in the monographs and papers published so far.

Usually custom is an unwritten law and it evolves as a collective product in society in response to the need of group living. In early societies and in tribal communities, the froce of customs has been persistent and well defined providing a unifying rallying point that sometime offers an identify to each group or tribe and outlines its relationship with other groups or tribes.

The present work is an humble attempt to depict the traditional insititutions and the customary laws and usages of the Riang people as have been found to be generally prevalent among them. In this respect a comparative study is also drawn between some customs of the Riangs of Tripura and the customs of the other tribes in North-East India.

OBJECTIVE

Usually a homogeneous society is the breeding ground of customs. The concept of community custom and tribe seem to go together inasmuch as tribe is a group of families having feeling of community occupying a territory and following similar socio-economic practices and living.

In a predominantly heterogeneous Society, custom has little to do with its day to day functioning. With the growth of the influence of extenuating circumstances, science, technology and modernism and new socio-political developments, sometimes a society is to give up its age old traditions, outlook and to accept the new ideas and ways of life.

The main objective of the thesis is to find out the historical roots of customary laws in the Riang society and to underline both the static and changing positions of customs from time to time and to locate the factors responsible for such scenario. In fact the object is to touch upon different aspects of the social history of the Riangs and to look upon society in its totality so as to gain insights into its structure as well as the processes of change which characterize it.

DATA COLLECTION AND METHODOLOGY

For this study, the archival records in the National Archives, New Delhi, and the files in the Secretariat archives (Record Room) Government of Tripura, Agartala, were searched. But barring some reports of Political Agents, there is only scanty reference either of the Riangs or of the customary practies, in the above centres of documents and records. The present writer has got an opportunity to consult judicial records, documents of suits/cases as regards the Riangs of Tripura which are kept preserved in different courts and District Judicial Record Room of Tripura. These judicial records and documents have immensely helped the present writer to draw a comparative estimate regarding the force of customs among the Riangs and the legal provisions in force.

Due to the dearth of written materials, attempt is made to prepare an oral history through field survey on the customary practices of the Riangs of Tripura. After acquiring a workable knowledge of the Kak-Barak Group of languages, the methods adopted are participation, observation seeking from the grass-root level answers to questionnaire on various aspects of customs and traditions of the Riangs and finally cross-verification of the collected information between youth and old, rural and urban, literate and illiterate, man and woman. Data collected from the secondary sources such as books, journals, newspapers, proceeding and memoranda of various tribal organizations etc.--have been used to cross-check primary data and also to provide information where primary material is not available.

Any study in customary laws and practices of a tribe requires reliable factual data. But primitive societies present special difficulties in this regard. Statistical techniques are now being progressively used in inquiries into primitive life. But both statistical techniques of collecting data and quantification of the same have some obvious limitations. This is very often ignored at the cost of making studies very unreal and to some extent mechanical.

In December, 1958 the U,N.E.S.C.O. organized a regional seminar on techniques of social resarch in Calcutta. In that seminar it was observed by Dr. J. D. Versluys, Deputy Director, U.N.E.S.C.O. Research Centre that in view of the persistence of the relatively self contained village unit, the anthropological methods traditionally used for the study of tribal societies were more appropriate for the study of rural society in Asia than the statistical methods, commonly used (The Statesmen, 8th December, 1958)

For data collection, the present researcher had to depend on verbal interrogation inspite of some of its limitations. Verbal interrogation was supplemented by direct observation and collection of necessary facts from those who were closely related to the Riang society. The present researcher had to spend a lot of times in the Riang villages of Tripura, both North and South District.

SURVEY OF LITERATURE

Regarding published source materials, we have only some casual references about the Riangs and their customary laws in the Rajmala by different authors. Although none of the published works have so far discussed in details about the customary practices of the Riang tribe, still the following Government publications were consulated : Annual Administration Reports of Tripura State, Census of Tripura, Tripura District Gazetteers, Gazette Sankalan (in Bengali), Rajgi Tripurar Sarkari Bangla (in Bengali), all the six volumes of Brajendra Chandra Dutta's Tripurar Sarkari Bangla (in Bengali) Somendra Chandra Deb Barma's Census Bibarani (in Bengali), Riang (in Bengali), Bhabananda Mukherjee and A. K. Mitra's papers on the Riangs as published in the bullentins

of the Department of Anthropology. Government of India, Survey Reports and other materials from the Primitive tribal centre, Government of Tripura, Agartala, J. Gan Choudhury's The Riangs of Tripura etc.

Other than these official publication, the present writer has got a number of clues from a large number of books and journals on the tribes of India and of the world beginning from the writings of W. W. Hunter. T. H. Lewin. H. H. Risley, A. Mackenzie, E. T. Dalton, W. Robinson, J. Shakespear, E. J. Hobsbawm, V. Elwin, Stephen Fuchs to S. K. Chaube, S. N. Dubey, B. K. Roy Barman, A. B. Rajput, G. S. Ghurye, K. K. Singh, V. Venkat Rao and a host of other reputed authors, ... a detailed list of which is to be found in the bibliography section to be incorporated in the last portion of the thesis. It needs to be emphasized that this historical and sociological literature should be subjected to critical scrutiny.

The life and living of a people are an indivisible whole. Customary laws and practices of people are not something separable from other aspects of life. ... it is integrated with the whole. Hence the study on the customary laws and practices, especially those of a primitive one does not lend itself to be rigidly partitioned into 'Customary laws and practices' and 'Other aspects of life'. In such a case what we can do is to study the life of such people in general and their customary laws and practices in particular. The realisation of this fact makes the scope of our work somewhat wide.

ORGANISATION

The thesis is organised into nine chapters. The first chapter which is the introduction contains the following sections : The first section introduces the Riangs who are termed as the 'Primitive Group of people' and whose customary laws and practices are the subject matter of the thesis. This section also deals with the question of migration of the Riangs to Tripura along with maps and numerical strength of the tribes from various Census Reports since the first decade of the present century.

The second section contains definitions of customs and customary laws by different authorities. An attempt has been made in this section to study the theoretical side. The views of Historical School, Sociological School, the lurists, the legal luminaries and various other scholars regardings customs and customary laws have been analysed. Customs in homogeneous and heterogeneous societies and the diminishing importance in the present modem socity ... all these have been discussed in detail in the section.

CHAPTER 2

The second chapter is on historical background. The Riangs call themselves Bru and according to them the term Riang does not denote the community, rather it is a title usually used by the bulk of the people of the community. The etymological implications of both the words Bru and Riang have been analysed in this chapter.

Regarding language, the Riangs, according to Grierson, originally belonged to the Pala-ung-wa group of Austro-Asiatic family of Lanuages. But at present, the Riangs are grouped into the Bodo group of the Tibeto-Burman family of languages, popularly known as kak-barak group of languages in Tripura. This change of language group is specially noteworthy to understand the customs and customary laws of the Riang tribe.

This chapter deals with the impect of ecology environment and lessons of history on customs and customary laws. The geographical setting of Riang habitation i.e. the natural environment consisting of flora-fauna, soil, mountain, river, climate etc. ... are analysed in which Riang customary laws and practices had taken their shape.

In the second section, attempt has been made to analyse the impact of economy on the growth of customs. It has been shown that 'Jhum' was not simply an economy, but it was also a culture which helped the growth of a lot of customary practices among the Riangs.

In the third section, we have a historical review of some evil customs such as 'Joyels', 'Slavery', 'Satee' and 'Tythung' ... that were prevalent among the tribes of Tripura including the Riangs for a very long time. Attempts have also been made in this section to analyse how customs and customary laws played some important roles during the Riang unrest of the forties. Also it is analysed how the martial background of the Riangs influenced their social customs to a great extent.

CHAPTER 3

Our brief survey in three sections of the third chapter of the fabric of Riang clan, family and village administrative authorities provides us with several insights into the relationship or inter-play between Riang social structure and the traditional ideas and customs in the Riang society. The changing scenario of Riang social frame-work a particularly notable to understand the present Riang attitudes to their age-old customs and customary laws.

CHAPTER 4

This chapter deals with customary laws and practices on marriage and divorce. Marriage as social institution occupies a prime position in the Riang society in the past and present. Monogamy is strictly practised in the Riang society. In the past, plural wives were allowed but now polygamy is not practised in the society. It is forbidden and its violation is a punishable offence.

Divorce is not common occurrence in the Riang Society but at the same time it is not altogether absent. Both the husband and the wife can initiate a divorce against each other on any of the grounds of unsoundness of mind, incurable disease, cruelty, desertion unfaithfulness, rape, adultery, habitual neglect of duties, barrenness etc. A divorce can take place by mutual consent of both the parties and the divorcee can remarry at any time after final dissolution of the union.

CHAPTER 5

An endeavour has been made in this chapter to give an account of the customary laws and practices regarding birth, death and the core of the religious beliefs and practices of the Riangs. The religious beliefs of the Riangs contain elements of animism, dream, divination, fertility cult, magic, polytheism, taboo, totemism and witchcraft. There are also certain adopted elements from the neighbouring Bengalee Hindus. The genesis of Hindu influence and the influence of 'Durbur' on the people regarding religion have been underlined in this chapter. With the help of census data, it is shown how the majority of the Riangs are Hindus while a growing minority are Christians. An attempt is made to describe their indigenous beliefs and their changing position in present day Riang society.

CHAPTER 6

Different sections of chapter six deal with customary laws regarding social offences, crimes and penalties as are found to be in practice in the Riang society. Various offences such as fornication, adultery, elopement, rape etc. and trial of those offences by the council of the village elders are dealt with in this chapter.

CHAPTER 7

This chapter deals with the vexed question of property and the customary laws regarding inheritance and succession. The concept of property in the Riang society and the opinions of different scholars in this regard have been noted. In different sections under this chapter we have outlined Riang customary laws relating to minority and guardianship, maintenance, right to property such as will, gift, loan, debt, land right, sale lease, mortgage, inheritance and succession.

An attempt is also made to draw a comparative estimate on Riang customary laws versus the modern laws relating to property. Some cases between Riang versus Riang and Riang versus Non-Riang disposed of or pending before the court of law are also referred to in this chapter so as to make the study more authentic.

CHAPTER 8

This chapter is devoted to the crux of the main problem i.e. the economic scenario or the economic life pattern of the Riangs which gave birth to a lot of customary practices and customary laws. Some of the characteristic feature of primitive economy are still to be found in the present economic system of the Riangs. The food production activities of the Riangs center round Jhum. The records and documents show how some attempts were made in the past to wean over the attention of the Riangs from Jhum to settled cultivation. Though not very successful in the past, still such a trend is noticeable.

An attempts made in the chapter to study the factors responsible for gradual shifting of the Riangs from Jhum to settled cultivation. The role of customary laws in the changing economic profile of the Riang society is analysed in detail.

CHAPTER 9

Chapter nine or the concluding chapter sumps up the major rays of the spectrum, the results of investigation in the above eight chapters. The concept of the Riang customary laws and practices has developed out of an endogamous family and clan organisation depending upon food gathering and shifting cultivation.

This concept is changing. Changes which have been ushered in on all the fronts, have two directions and have been motivated by politico-economic ends. The major factors responsible for bringing about changs in the concept of Riang customary laws and practices, have been dealt with in this chapter.

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GLOSSARY

Andra Khutoimo	-	A feast arranged by the bride's family after settlement of marriage negotiations among the Riangs.
Andra Taochamo/ Tao-Khaomo	-	Refreshment to the bridegrooms party at the time of marriage
Ang	-	I
Aini	-	of me
Aingni	-	Mine
Ah	-	Fish
Abusumi	-	Impure
Achauk	-	Sit
Athuh Khroi	-	Star
Apa/Achu	-	Father/Father's Father
Amou	-	Mother
Achoi	-	Mother's Mother
Awaing	-	Rice cakes
Andrarimi	-	Marriage payment
Aaboh Shemo	-	Touching the breast of a woman against her consent
Andra	-	Matchmaker
Andra Khutoimo	-	Occassion prior to formal betrothal
Bahmi	-	A term for will deed among the Riang
Banja	-	A Riang term for mortgage
Bhadra	-	A month of the Riang calender corresponding the months of August-September of the Gregorian calender
Bichar	-	Trial
Brem	-	Generation

Buri Tuikhaihmo	-	The marriage by elopement among the Riang
Bung	-	He
Bini	-	His
Brao	-	They
Braoni	-	Their / of them
Bihi	-	Wife
Brauh	-	Man
Broi	-	Woman
Bua	-	Tooth
Bukhrouth	-	Head
Bohok	-	Belly
Baikung	-	Back
Bu	-	Beat
Biskang	-	Before
Bai	-	With
Bo	-	it
Bsa-rimi	-	Adoption
Brem	-	Generation
Chamini	-	Compeasation
Chapiakhan	-	A Riang Designation for administrative head
Chhoikhemo	-	Betrothral
Chamaroitkamo	-	The marriage by service among the Riang
Chaudhury	-	Head of the council of elders in a Riang village
Chaudhury Sardar	-	An authority at the sub-clan level among the Riangs

Choong	-	We
Chin ni	-	of us
Chin ni	-	our
Chrai	-	Child
Chhoi	-	Dog
Cha	-	Eat
Chamaroi	-	Son-in-law
Chinharao	-	Daughter-in-law
Chong ching	-	Adultery
Chong ching kaumi	-	Love without sexual relation
Chong ching katar	-	Love with sexual relation
Chorphung	-	Bamboo tube used in funeral rites
Dafasing	-	The method of substitute payment in lieu of service by son-in-law
Dafa	-	Sub-group among Riangs
Dawka	-	Door
Emang	-	Dream
E-ingmang	-	Puzzle
Fami/Famo	-	A Riang term for sale or transfer of land rights
Fala	-	Soul
Fai	-	Come
Fartung	-	Inauspicious
Hakchu	-	The nearest relative on the mother's side among the Riang
Hoo	-	A Riang term for Jhum land
Hamya	-	Alas
Har	-	Fire, night
Huda	-	Meaningless

Hokchurao	-	Affines
Halaukaham	-	Proper marriage relationship
Halaukchaya	-	Forbidden relationship
Haiuhphaimi	-	Return of bridegroom after marriage service
Hoirorthao	-	Mustard Oil
Hamia	-	Impurity
Kailaimo	-	The Riang term for marriage
Kailaimini bosi	-	The Riang term signifying the maturity of a person with the marriageable age
Kahlaimo	-	The Riang term for divorce
Kani	-	A Riang term of measure for land (Approx 40 x 48 yeards)
Kartik	-	A month of Riang calender corresponding to October-November months of the Gregorian calender.
Kaskau	-	Designation of the Riang Chief
Khababa	-	A term for adultery among the Riangs
Kheto	-	A Riang term for the land
Khlombakmi	-	Transfer of land with standing crops to a son-in-law through deed of a will.
Karbari	-	Assistant Chaudhury
Kau Deramo	-	Use of any offensive language against any person
Kaufi	-	To tell a lie
Kram	-	Ill health, feeble, weak
Kham	-	A Riang term for drum
Kaham	-	Good
Kaham thouhsouth	-	Best
Kchu	-	High

Kchu-thouhmo	-	Highest
Khaih	-	Run
Kolluh	-	Small
Klokha	-	Long
Kebalha	-	Weak
Kamsoi	-	Turban
Kthoi	-	Dead
Kaklai	-	Divorce
Lakai	-	A Riang term for debt
Lámaiya	-	Inability to do anything
Laotak	-	Spirit of the dead
Langi	-	Pot
Mukmoi	-	A term for gift among the Riangs
Mfa/Bfa	-	Father
Mma	-	Mother
Mta/Bfa	-	Brother
Mbi/Bibi	-	Sister
Mangchouch	-	Funeral prayer
Mkho/Bkh	-	Mouth
Masing	-	Winter
Mchhoi	-	Deer
Msu	-	Cow
Mai	-	Rice
Mui	-	Curry
Mtai	-	God
Msalla	-	Son
Msa-ma	-	Tigress
Msa	-	Tiger

Mairong	-	Rice
Mamla Khalaimo	-	Fornication
Nouhkhung	-	The term for the family among the Riangs
Noong	-	You
Nini	-	Of you
Nini	-	Your
Naukha	-	Sky
Nalsi	-	Complaint lodged to the Chaudhury for settlement
Nawba	-	Air/Wind
Noksik	-	Broom
Nagakruiya	-	Homeless
Oklau	-	Behind
Mkoih	-	Eye
Ouchai	-	Priest
Palawmi/Ri-mi	-	A Riang term for fostering
Palawmomchha	-	Forster child
Panjihami	-	A Riang ceremony for social approval of an adoption
Para/kami	-	House site in Riang village
Paush	-	A month of the Riang calender corresponding to December-January months of Gregorian Calender
Phalkaimi	-	A rite performed in case of incestuous union among the Riangs
Panji-hatao	-	Clan structure
Panji	-	Clan
Puing	-	Goat

Parkami	-	Divination, worship
R'chha	-	A traditional cloth used by the Riang women to cover their torso
Rike gals	-	Expulsion of a person or household from the Riang village community
Rai	-	Cane
R'nai	-	Breast Cover
Ritrak	-	Bedsheet
Ritao	-	New Cloth
Rangma nawba	-	Human soul.
Rangha-andra	-	Neeklace of silver
Rinai	-	Waist cloth, coin
Randi	-	Widow
Risi Toimo	-	To suspect
Sandai	-	The relatives on the paternal side among the Riangs
Slawlami	-	A Riang term for loan
Sekhal	-	Devil
sal	-	Sun Day
Samfa	-	Near
Sbow	-	Who
Sandairao	-	Agnates
Smaitanlaimi	-	Oath taking
Sikla	-	Spinster
Som	-	Salt
Samphi	-	Sword
Sikya	-	Excreta
Singlaimo	-	Marraige proposal

Simangnok	-	The shed where the spirit of the dead lives
Tal	-	Moon
Tui	-	Water
Taula	-	Cock
Taukham Chla	-	Duck
Tam Tao	-	Bird
Thang	-	Go
T'ma	-	What
Ṭhapa	-	Oven
Touk	-	Cooking pot
Tuimoi	-	Turtle
Tui Khaihmi	-	Forcible marraige
Takhak	-	Cock
Thanti	-	Loom
Tetra	-	Stick
Thapatala	-	Oven
Thoiplengmi	-	Unconsciousness
Taukhouh	-	Basket
Varsa	-	Rainy season
Wareih	-	Ear ornaments
Wowarao	-	Pigsty
Waiyouth	-	Younger brother's widow
Wook	-	Pig
Yamoing	-	A Riang term for maintenance
Yak	-	Hand
Yafa	-	Foot
Yamkani	-	Molestation
Yoksom	-	Fine imposed

CHAPTER-I

CHAPTER-I
INTRODUCTION

The ethnic identity of one particular tribal community comprises the composite structure of the tribal groups inhabiting in a particular locality. History of the tribal communities in Tripura is shrouded by the paucity of historical and demographic materials. Of the 19 scheduled tribes that subscribe to this composite structure of the tribal communities of Tripura, the Riangs, the second major tribe, has been identified as a 'primitive' community exercising the provisions of Article 342(1) of the Constitution of India as the President by public notification may specify.[1] The illustrative table shows the names and the numerical strength of the 19 tribes of Tripura specified by the Scheduled Castes and Scheduled Tribes Lists Modification Order, 1956.

TABLE NO.1

TOTAL TRIBE WISE POPULATION FROM 1951 TO 1981

Sl No.	Name of Sch. Tribe	1951	1961	1971	1981
1	2	3	4	5	6
1.	Tripuri	1,50,971	1,89,799	2,50,545	3,30,842
2.	Riang	48,471	56,597	64,722	84,004
3.	Jamatia	2,764	24,359	34,192	44,501
4.	Chakma	7,277	22,386	28,662	34,797
5.	Halam	11,644	16,298	19,076	28,970
6.	Noatia	1,916	16,010	10,297	7,182
7.	Mog	3,789	10,524	13,273	18,230
8.	Kuki	2,721	5,532	7,775	5,502
9.	Garo	7,362	5,484	5,559	7,298
10.	Munda	51	4,409	5,347	7993
11.	Lushai	1,947	2,988	3,672	3,734
12.	Oraon	...	2,875	3,428	5,212
13.	Santal	736	1,562	2,222	5,776
14.	Uchai	...	766	1,061	1,306
15.	Khasia	151	349	491	457
16.	Bhil	41	69	169	838

1. Basu Durgadas Shorter, Constitution of India, Ninth Edition, New Delhi 1994 p.802

17.	Lepeha	5	7	14	106
18.	Bhutia	19	7	3	22
19.	Chaimal	...	50	...	18
	Unspecified Tribes	...	...	36	...
	Total	2,29,865	3,60,070	4,50,544	5,86,688

Source : i. Census of India (Tripura), 1981, series 21, Part IX
ii. Ganchoudhury, J. The Riangs of Tripura, Directorate of Research, Government of Tripura, 1983, PP 2-3

It is evident from the above table that the Tripuri, who ruled the state for several centuries, constitute the largest tribe. The Riangs are the second largest tribe. The demographic profile and decadal variations of the Riangs of Tripura since the begining of the present century is shown in the following table.

TABLE NO.-2
RIANG POPULATION OF TRIPURA FROM 1901 TO 1981

Year	Number	Decadal variation	Percentage of change
1901	15,115	...	...
1911	22,433	7,368	48%
1921	28,959	6,476	29%
1931	35,881	6,922	24%
1941	40,347	4,466	12%
1951	48,471	8,126	20%
1961	56,597	8,126	17%
1971	64,722	8,125	14%
1981	84,004	19,282	4%

Source : Ganchoudhury. J. Op. cit. P/6

A. THE RIANGS AS PRIMITIVE GROUP

There are certain communities among the scheduled tribes who live in more or less total isolation, in a life style which shows scant change from that of centuries ago. The single unique characteristic of these most 'tribalsque' communities is revealed in their numerical

size. Most of them are small communities and it would appear that both in the past and the present, their growth rate has been abnormally low relative to the rest of the population. The Dhebar Commission, 1961, identified those isolated tribes as the 'Lowest layer' among the scheduled tribe communities.[2] 27 scheduled tribe communities have been identified as 'Primitive Group' by the Ministry of Home Affairs, Government of India on the basis of the following criteria :

i. Low growth rate

ii. Pre-agricultural level of technology

iii. Extremely low level of literacy[3]

During the sixth plan period, the Ministry of Home Affairs on the basis recommendation of the state government included only the Riang community of Tripura under serial No. 62 of the list of identified primitive tribal groups since only the Riangs in Tripura fulfil all criteria laid down by the Ministry of Home Affairs.[4]

Unlike all other tribes of Tripura, the georaphical habitats of the Riangs are located in extremely backward and inaccessible hilly regions. The Riang habitats as shown in the map No.3 also indicate that the Riangs habitats as shown in the map No.3 also indicate that the Riangs in Tripura live mostly interior areas. In the same way, the growth rate of Riang population, as it appears in table No.2 is low.

Despite lot of efforts taken by both the central and the state government to rehabilitate the Jhumias so as to wean them away from the practice of the traditional shifting cultivation, most of the Riangs still today are adhering to their age-old practice of shifting cultivation. The following table will show the prevalence of Jhum among the major tribes of Tripura and the demographic position of the Riangs as Jhumias.

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2. Report of the working on Development of Sch. Tribes during seventh five year plan. 1985-90, December 1994. Govt of India, Ministry of Home Affairs, p.87.
3. *Loc.* cit
4. *Ibid*, p.252

TABLE-3

JHUMIA HOUSEHOLDS IN TRIPURA IN 1971 CENSUS

Sl. No.	Name of Tribe	Total no. of House-hold	No. of house holds doing Jhum solely	No. of house-holds doing Jhum partly	Percentage of Jhumia house-holds to total house-holds of each tribe
1	2	3	4	5	6
1.	Tripuri	43,927	10,693	11,612	50.8%
2.	Riang	11,355	6,750	3,934	94.1%
3.	Jamatia	6,000	1,119	2,411	58.8%
4.	Chakma	5,028	1,821	1,839	72.7%
5.	Halam	3,347	1,185	1,447	78.6%
6.	Mog	2,329	531	696	52.6%
7.	Noatiya	1,806	403	846	69.1%
	Total	73,792	22,602	22,785	61.3%

Source :- (i) Census of India, 1971, Tripura, series 20, part II c (i);
(ii) Sarkar. M. _____ Project Report for "Tripura Rehabilitation plantation corporation Ltd".

The present researcher had found in some Riang villages of North Tripura where cent percent were 'Jhumias'. Let us now have a look at the following table of such extremely surveyed Riang villages of North Tripura.

TABLE NO.4

JHUMIA FAMILIES OF BARAKANAGRAI AND SHIB BARI

Sl. No.	Name of village	Total no. of families	No. of Riang families	No. of families wholly dependent on Jhum	Percentage of wholly dependent families to total families
1	2	3	4	5	6
1.	Barakanagrai	67	67	67	100%
2.	Shib-bari	45	45	45	100%

N. B. : Barakanagrai is situated in the Jhampui hills under Kanchanpur Sub-Division of North Tripura District, Shib-bari is situated at Chinibagan Mouza under Kailashahar Sub-Division of North Tripura District.

The level of literacy of the Riang is the lowest among the tribes of Tripura. The following table as taken from 1981 census, shows the comparative literacy rate and educational level of the Riangs and the other tribes of Tripura, both in urban and the rural areas.

TABLE NO.5

COMPARATIVE LITERACY RATE AND EDUCATIONAL LEVEL OF THE RIANGS AND THE OTHER TRIBES OF TRIPURA RURAL AREAS

Name	Total		Illiterate		Formal Education		Primary Education		Middle Stage		Non-Formal Education	
	Male	Famale	Male	Famale	Male	Famale	Male	Famale	Male	Famale	Male	Famale
Other Tribes	293471	282781	197380	250202	59846	22838	22344	6720	8211	2073	1726	255
Riang	42893 (14.61%)	40993 (14.49%)	34098 (17.27%)	39242 (15.68%)	6232 (10.41%)	1327 (5.81%)	1591 (7.12%)	289 (4.36%)	426 (5.18%)	77 (3.71%)	309 (17.90%)	24 (9.41%)

Source : Census of India, Series 21, Tripura, Part IX, Special tables for Scheduled Caste and Scheduled Tribes, Page 654

TABLE NO.6

COMPARATIVE LITERACY RATE AND EDUCATIONAL LEVEL OF THE RIANGS AND THE OTHER TRIBES OF TRIPURA RURAL AREAS

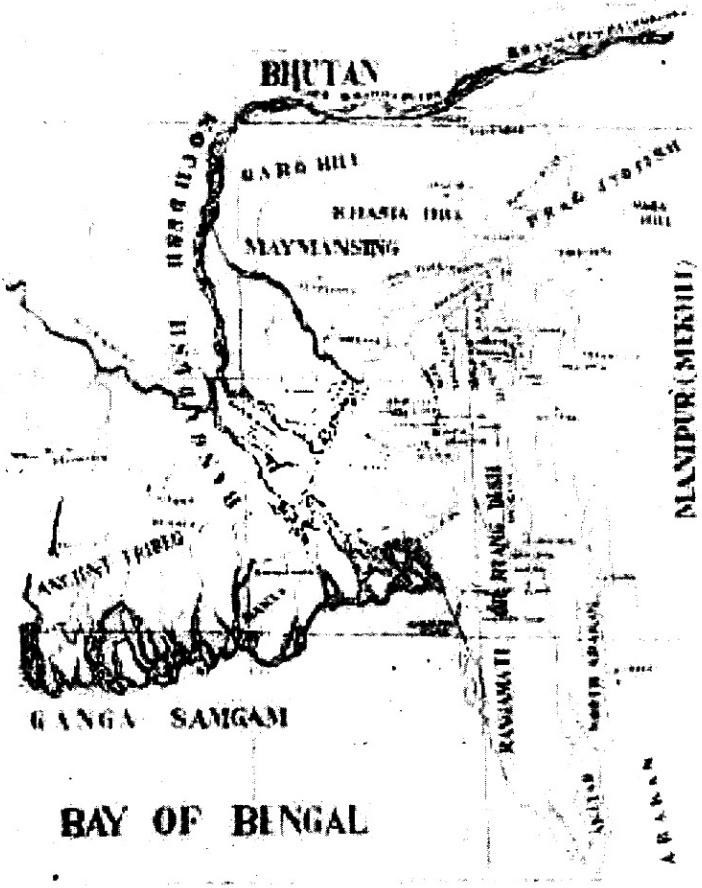
Name	Total		Illiterate		Formal Education		Primary Education		Middle Stage		Non-Formal Education	
	Male	Famale	Male	Famale	Male	Famale	Male	Famale	Male	Famale	Male	Famale
Other Tribes	4141	3527	645	980	699	767	680	682	902	558	13	16
Riang	80	33	8	3	22	9	15	15	15	4	Nil	Nil
	19.31%	0.93%	1.24%	3.30%	3.14%	1.1%	2.20%	2.19%	1.66%	0.71%		

Source : Census of India, Series 21, Tripura, Part IX, Special tables for Scheduled Caste and Scheduled Tribes, Director of Census Oerations, Tripura, PP 653-655

MAP OF TRIPURA

(EARLY 15TH CENTURY)

BOUNDARY OF THE STATE



B. ORIGINAL HOMELAND AND MIGRATION MOVEMENT OF THE RIANGS

Though the Riangs are now concentrated mainly in Tripura. Mizoram and the Hill Tracts of Chittagong, they have not been living here from time immemorial as they have immigrated here from else where.

Regarding the original homeland of the Riangs, opinion differs. According to their folklore, the Riangs had migrated to Tripura through different routes. It is commonly believed that the Riangs migrated form somewhere in the Chittagong Hill Tracts (now in Bangladesh) to Tripura during the time of Ratnamanikya I in the fifteenth century. In the opinion of Ramesh Ch. Mazumder, the coins of Ratnamanikya belonged to the period between 1464 A. D to 1467[5] and so the Riangs might have migrated to Tripura during that period.

Besides, reference of the Riang as generals in the Royal Army during the reign of Dhanyamanikya who ruled Tripura from 1490 A.D. to 1515 A.D[6] tentatively indicates the positions of the Riangs in Tripura round about the fifteenth century[7]. A document (1313 T.D.)[8] of the Revenue Department claims that 27 chiefs (huddadars) of the Riang as representatives of their clans promised their allegiance to the king Ratnamanikya (Ratna-Fa) fourth in ascent from Dhanyamanika.[9]

Bhabananda Mukherjee believes that the Riangs had their terri-

5. Majumder, Ramesh Chandra, Bangla Desher Tribes, Vol. II, 1973, pp.443-48.
6. Roy Chaudhury, Nalini, Tripura through the Ages, Bureau of Research and publications on Tripura. 1977, Agartala, P.27.
7. Mukherjee, Bhabananda : The Riang, Bulletin of the Department of Anthropology, Volume. VIII, No. 1.1959, Published on March 3, 1970. Anthropological Survey of India, Calcutta, p-4.
8. T. D. or Tripurabda : Tripura had a Chronological era peculiar to itself. This era was known as Tripurabda. Regarding the founder of this era different scholars gave different opinion. Shri Kailash Chandra Sinha in his Rajmala pointed out that in the old grants and seals of the kings of Tripura upto the seventeenth century the Saka era was used and he suggested that the Tripurabda was really derived from the Mohammendan era. Hijri with some accidental variation, (Sinha, Kailash Chanra : Rajmala, 1896, p.9)
At present it is not possible for us to ascertain the actual date and original founder of this era. No ancient inscription or coin makes mention of the Tripurabda or Tripura era. So we can only presume that in the later period some king or some officers at the court with object of stating a Tripura era, introduced Tripurabda by setting it three years behind the Bengali era (Roy Chaudhury, Nalini Ranjan, op. cit p.46)
9. Mukherjee, Bhabhananda, op.cit. p.4

tory in the Maini Hills to the east of the source of the river Gomati in Tripura and they migrated from Shan states to the Hill Tracts of Chittagong and then to Tripura.[10] Contrarily, Lewin pointed out that the *Tipperah*, the *Lushai* and the *Kuki* belonged to the Toungha group and the *Tipperah* which comprised the *pooran* the *Nowuttea* the *Osuie* and the *Riang* migrated to Chittagong from Hill Tripura.[11]

Kaliprasanna Sen in his Sree Rajmala [12] stated that the Valley or the Maine river which had merged with the Karnaphuli river in Chittagong was also once inhabited by the Riangs.[13]

Earlier reference of the Riangs is available from the accounts of Dalton.[14] and the Gazetter of Upper Burma and the Shan State (Scott 1900).[15] In the Gazetter of Upper Burma and the Shan States (1900 A.D.) there are references of the Riang as *Yang Hsek, Yang Lam* and *Yang Wan Kum.*[16] According to Stirling quoted by Scott the *Yang Hsek* called themselves *Riang or Riang Rio*, the *Yang Wan Kum* used the form *Riang Rong* and the *Yang Lam* occasionally gave the name *Riang*[17].

As the Riang tribe is one of the important members of the great Mongolian family, the history of migration and movement of the Mongolian people is also largely the history of the Riang[18] Grierson (1927) while undertaking the linguistic survey of India makes interesting obervations about the original homes of the people speaking

10. Loc, cit
11. Lewin, T.H : *The Hill Tracts of Chittagong and the dwellers therein*, Calcutta, 1986, pp-28-29
12. Sree Rajmala : A historical ballad laying down the chronological history of the ancient rulers of Tripura. It was composed in different times by number of scholars under the orders of different rulers. From those manuscripts, Shri Kaliprasanna Sen, Vidya Bhusan edited four Lahars (Volume) of Rajmala, the first of which was published from Agartala in 1925 A. D.
13. Sen, Kaliprasanna (ed), *Sree Rajmala*, Vol.I, Agartala, 1936 (T.D.) p. 175
14. Dalton, Edward Tuite : *Descriptive Ethnology of Bengal*, Calcuta, 1972 p.110
15. Scott. George, J : *Gazetter of Upper Burma and the Shan State*, Rengoon, Vol.I, Part.I, 1900 A. D. pp.519-520.
16. Loc. cit
17. Loc. cit
18. Ganchaudhury. J : *The Riangs of Tripura*, Directorate of Research, Govt of Tripura, 1983 A. D. p.9.

Sino-Tibetan Languages. According to him, it is some-where in North Western China. In the words of Grierson. "The Tibeto-Burman migrated from their original seat on the upper courses of the Yangtse and the Hoangho towars the head-waters of the Irrawaddy and of the Cindwin"[19]. Some of the groups, states Grierson, followed the upper course of Brahmaputra till they arrived at the Assam and where they met and mingled with others of the same family who had wandered along the lower Brahmaputra through the Assam Valley. Eventually the 1st wave of the Tibeto-Burman Tribes moved to the south and occupied first the Garo hills and thereafter the hill Tripura.[20]

Barkataki has reconstructed the movements and migration of the different waves of the Mongoloid people. According to him, the movement of Mongoloid people had begun in 2000 B.C. from the north to India through Assam and there were apperently wave after wave of these migrations and the invaders belonged to the *Indo-Chinese linguistic family* of which the two most important sub-families were the Mon-Khemer and *Tibeto-Burman* which includes Bodo groups.[21] In pursuance of the identity of the Riangs in particular, Ganchoudhury claims that both linguistically and ethnically the Riangs belong to the Tibeto-Burman tribes of the North-Eastern India.[22]

Obviously, the available source, including the materials collected through field survey which comprise answers to questionnarie put to the members of the Riang community spread over entire Tripura, confirmed that ethnically the Riangs belonged to the Bodo group of Tibeto-Burman family.

Bani Prasanna Misra in his case study of Tripura Jhumias has made an observation to the effect that out of the nineteen tribes of Tripura, particularly some tribes such as (1) Chaimal, (2) Halam, (3) Jamatia, (4) Kuki, (5) Noatia, (6) Riang, (7) Tripuri and (8) Uchai ... are not known to have migrated from outside in the histori-

19. Grierson. G. A. : *The Linguistic Survey of India.* Vol.I Part : I, Delhi, 1927 (1967-reprinted). p.41
20. Loc. cit
21. Barkataki. S. (ed) : *Tribes of Assam*, New Delhi, 1969, pp.1-2
22. Ganchaudhury. J. op. cit., p.10

cal period, and as such they may be called the original settlers of Tripura.[23]

However, an oral tradition of the legends, popular among the Riangs, even today confirm that the Riangs migrated to Tripura from the Chittagong Hill Tracts, either voluntarily to submit their allegiance to the king of Tripura or being oppressed by the Riang king, to seek redress from the king of Tripura.

The legend runs as follows : Some Riang leaders being oppressed by the *Kaskau*, the Riang King, went to see Gobinda Manikya, [24] the king of Tripura on bamboo rafts to redress their grievances. They reached a place, called *Taipra* in between the two tributaries Raima and Sarma of the river Gomati where the king was performing *Kermit*.[25] The Riang leaders appeared there without permission of the king and this caused annoyance of the king who ordered them to be sacrificed before *Ker*.[26] But the Riangs who were ordered for decapitation were pardoned by the queen Gunabati [27] after obtaining the oath of allegiance from them.[28] From the above accounts, it appears that the Riangs are not the autochthon of the state. They themselves believe that they had migrated from Chittagong where they had been living in the valley of the Karnaphuli river. This also confirmed by the spells ... *Ama kangsari*.

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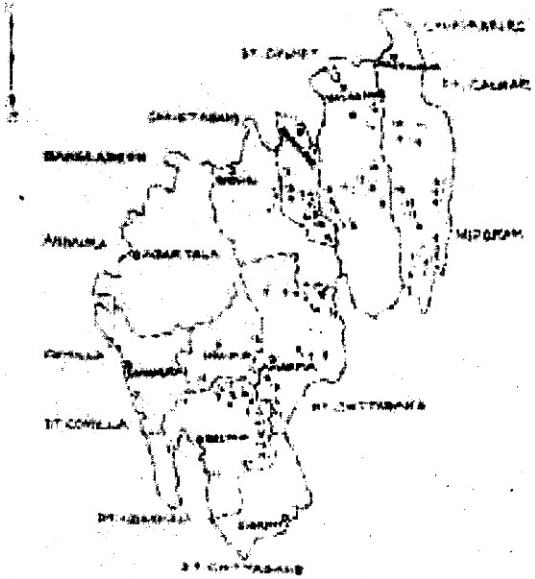
23. Misra, Baniprasanna : *Socio Economic Adjustments of Tribals ++- A case study of Tripura Jhumias*, New Delhi, 1976. p-4
24. Gobinda Manikya ruled Tripura from 1660 A. D. to 1676 A. D. (Chaudhury, N. R. *op. cit.* p.26)
25. *Kermit* is a community ritual, Eight deities are worshipped for fertility and when epidemic of cholera and pox breaks out.
26. *Ker* is a community ritual for welfare of the community.
27. Gunabati ... the queen of king Gobinda Manikya.
28. Reply of questionnaire by Shri Bajuban Riang. Ex. M. P. and present. Minister of Tripura and Shri Gitya Kumar Riang. Asstt. Teacher of Ramkrishna Shikshya Pratisthan, Kailashahar, North Tripura, Interview held on 07.10.92 and 10.11.92 respectively.

MAP OF TRIPURA

NOT TO SCALE

MAP SHOWING THE VILLAGE INHABITED BY THE RIANGE.



BELONIA : (1) GARDING (2) SONAICHHARI (3) PASCHIM PIPEARIAKHALA (4) TRISHNA R.F. (5) PASCHIM MANU (6) BIRCHANDRANAGAR (7) DAKSHIN TAKMACHHARA (8) UTTAR DEBIPUR (9) PASCHIM KATHALIACHHARA (10) PURBA KATHALIACHHARA (11) TUKUMACHHARA (12) RADHAKISHOREGANG (13) BAGAFA (14) TAIMMACHHARA (15) LAXMICHHARA (16) KOWAIFANG (17) DAKSHIN HICHACHHARA (18) MUHURIPUR R. F.

AMARPUR : (1) DAKSHIN KORBOOK (2) PURBA KORBOOK (3) SONACHHARA (4) KURBACHHARA (5) RAJKONG (6) PURBA DULUMA (7) CHELONGONG (8) RAMBADRA (9) JAGABANDHUPARA (10) ULTACHHARA (11) JINAROYPARA (12) PURBA GANDHACHHARA (13) PASCHIMGAM (14) PASCHIM RAIMA.

UDAIPUR : (1) GARJEE R. F. (2) CHANDRAPUR R. F. (3) TAIHARCHONG

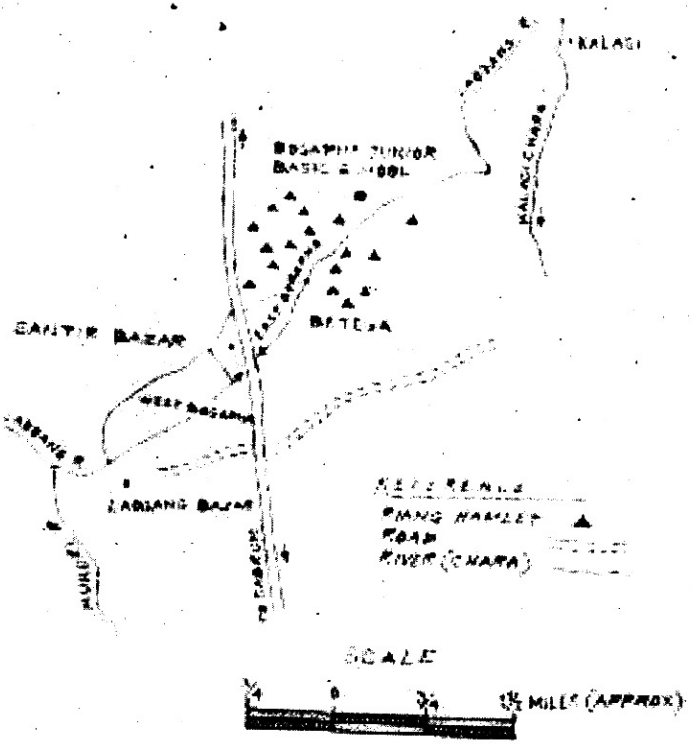
KHOWAI : (1) KAKRACHHARA (2) NUNACHHARA

KAMALPUR : (1) JAGANNATHPUR (2) DANGABARI (3) BAYIRATH (4) PANBOWA (5) SIKARIBARI (6) HARINCHHARA (7) HARIMANGAL (8) GANGAPRASADPARA (9) SIDDYAPARA (10) KATHALBARI (11) DALAPATI

KAILASHAHAR : (1) PASCHIM KARAMCHHARA (2) PURBA KARAMCHHARA (3) KATHAL CHHARA (4) LALCHI (5) MALIDHAR (6) UTTAR LONGTARAI (7) DAKSHIN LONGTARAI (8) GOVINDHABARI (9) BIRASHIMAIL (10) BETCHHARA (11) UTTAR UNOKOTIPARA (12) CHIPARA (13) DEVASTHAL

DHARMANAGAR : (1) DASDA (2) TAISAMA (3) RAIMANIPARA (4) KALAPANI (5) GACHHIRAMPARA (6) SAKHAN (7) LAKSMIPUR (8) SATNALA (9) NABINCHHARA (10) ANDHARCHHARA (11) RAHANGCHHARA (12) PIPLACHHARA (13) KHEDACHHARA (14) PASCHIM MONPAL (15) KALAGON (16) DAKSHIN MACHMARA (17) UTTAR MACHMARA (18) UJAN MACHMARA (19) DEO R. F.

SKETCH MAP OF BAGAPHA AND NEIGHBOURHOOD SHOWING RIANG HAMLETS



SOURCE :

MUKHERJEE BHABANANDA :

THE RIANG, 'BULLETINE OF THE THE DEPARTMENT OF ANTHROPOLOGY', VOL VIII., NO.1, 1959, PUBLISHED ON MARCH 3, 1970, ANTHROPOLOGICAL SURVEY OF INDIA, CALCUTTA, P/1.

Nakati, Ama Bangberi Hargari, Ama Chontoi, Ama Santai [29] used by the Riangs for the worship of Toibuma, the goddess of water and the story of the origin of Apeta [30] Sub-clan. According to Bhabananda Mukerjee, the Riangs, being driven out of Chittagong by the Mog [31] migrated to Rayang, a place in the Maini Hills to the east of the source of the river Gomati near Dumbur [32] A batch of them settled in Kalasi hills in Belonia Sub-Division and from there they migrated to East-Bagapha and Laxmichera [33] [A sketch map (Map No.4) prepared by Bhabananda Mukherjee is appended].

We can not underscore the fact that the number of hill people increased in Tripura due to immigration of tribal people from the neighbouring districts. Obviously, most of the people who emigrated to the Hill state came from Chittagong Hill Tracts. Evidently geo-

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29. *Ama Kangsari Nakati* ... Ama means mother, Kangsari Nakati, name of a river which the Riangs crossed during the course of their migration movement. Ama Bangbari Hargari, Ama Chontoi, Ama Sontoi ... those are all names of various rivers which the Riangs crossed during the course of their migration movement. Obviously the Riangs recollect the names of those rivers and pay homage in the names of those rivers as their mother.

30. *Apeta* sub-clan has some symbolic association with fish (apeta). During the migration of the Riang from Chittagong to Tripura, one Riang women while crossing the river Karnaphuli, fell in it and drank plenty of water. As a result, her abdomen swelled like a fish. But when she was taken ashore, she delivered a child whose descendants are said to belong to Apata Sub-clan. (Mukher, Bhabanands. *op.cit*,p.17)

31. Mog ... one of the dominant Tribes of Chittagong Hill Tracts, whom the Riangs avoid in social intercourse.

32. Water of Tirthmukh has its origin in the confluence of two mountain streams Raima and Sarma at a place called Duchhari. A number of small tributaries join the combined water of these two streams. Now it is a rivulet. In the past, this rivulet tumbled down a series of rapids which were known as Dumbur. At present it falls in Amarpur Sub-Division of Dhalai District of Tripura. Dumbur is a pilgrimage for all the people including the tribes of Tripura.

33. East Bagapha is situated at Belonia Sub-Division of South Tripura District. Laxmi Chara stands at a place about ten miles from East Bagapha at Belonia Sub-Division. A sketch map prepared by Bhabananda Mukherjee is appended (Mukherjee, Bhabananda. *op.cit*, p.1.)

graphical proximity of the Hill Tracts of Chittagong provided easy ground for immigration of Tripura.[34]

The principal tribes of Chittagong Hill Tracts were Chakmas, Mogs & *Tipperahs* which included the Riangs who faced no barriers to their own customs, language and climate while finding their new abodes in Hill Tripura.[35]

Moreover, the hill tribes including the Riangs, living in Chittagong Hill Tracts, were not always secured in their home land. They had constantly been subjected to raids from the unruly tribes – Kukis, living in the adjoining Lushai Hills.[36] This factor also might have prompted the Riangs for immigration to the then *Hill Tipperah.*

The hill people had an inherent affinity to nomadic life. The major incentive to this nomadic life was *Jhum* cultivation for which they were required to change the sites of Jhum as per requirement of *Jhum Cycle.* It may be assumed that the Riangs, in course of their movement in search of food and fertile lands for shifting cultivation, halted temporarily at different places. They might have once temporarily settled in the Mayani Kathlong hills -- a place said to have been located in the southern fringe of the Mizo Hills from which the river Karnaphuli originates.[37] Even today the older generation can recollect almost all hills and rivers from Mayani Kathlong onwards crossed by them in course of their movement. Their memory however, fails to go beyond that. This memory is evidenced by the fact that on the occasion of community worships they recollect even today those hills and rivers and pay homages to them through offerings. Some of these rivers and streams are e.g. *Sankha, Matamari, Remphal, Katai, Rengtai, Kancha i.e. Karnaphuli, Cherengkha, Kangsari, Nakati, Mayan* etc.[38]

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34. Hutchison, R. H. Sneyd : *Chittagong Hill Tracts*, frist published in 1909 A. D., Reprinted in 1978 A. D., Delhi, p. 15
35. Chaudhury, Gurudas : Immigration of hill people and plains-men into hill Tipperah from nineteenth century onwards. *Tui* ... A quarterly Research Journal of Tribal Life and Culture, December, 1995 ... February, 1995, Vol. III. No.I, p.6.
36. *Loc.cit.*
37. Gan Chaudhury, I *op.cit.* p.10.,
38. *Loc.cit.*

From the above discussion, it may be presumed that the Riangs emigrated to the Hill state of Tripura across the Chittagong Hill Tracts. They never left their land en masse. Though there was no continued stream of immigration to Tripura, the process of migration however, never ceased to flow. A number of customs and customary laws in the Riang society evolved centering round the memories of past migration movement.

C. ORIGIN AND LEGAL VALIDITY OF CUSTOM AND CUSTOMARY LAW IN THE PRESENT DAY SOCIETY

Customs evolve in a society in response to the needs of group living. To put it simply, the custom is an unwritten law. It is not an arbitrary creation, but a collective product which is backed by social sanction and not infrequently becomes embodied in law or acquires the force of law. The cycle of birth and death of nascent, and also the process of decay in nature are all reflected in the mores and folkways, like the customs of wearing head dresses, celebrating birth ceremonies and the rites of passage and funerary obsequies of people. Similarly, the agricultural cycle which has its own pattern of seasonal festivities, consecration and offerings come under the fold of the custom or customary law. In his *Customs of the World*. Walter Hutchinson Observes : "Customs and practices unique to each event together form a wonderous mosaic that is Kelcidoscopic in its variety".

C.1 CUSTOM AND CUSTOMARY LAW————DIFFERENT OPINIONS

Custom and Customary Law are not synonymous. There are various customs without any legal authority but the customary laws have the sanction of the bulk of the society. In the event of violation

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39. Hutchinson, Walter (ed) *Customs of the world*, Vol.I Reprinted edition, 1984 A.D., New Delhi, p.III a.

of any customary law, the violator is to be punished. An endeavour has been made by some western scholars to study and evaluate the various opinions, writings of jurists and legal luminaries pertaining to customs and customary laws.

The ancient people, according to Cicero, were guided by the law of nature. He states thst justice has emanated from nature and fear of law even religion, gives sanction to those rules which have both emanated from nature and have been approved by custom.[40] This opinion has been held right by many western scholars.

With the march of time, being crushed by circumstances, the ancient people learnt to live in groups. The surrounding situation compelled them to abide by certain pattern of human behaviour in their day to day affairs of life, to give vent to their interests, hopes, desires and wants———— both individual and collective. A large section of the population responded to these behaviours, if not each and every one of the group, as a whole. The human being could gradually realise through their day to day experiences and experiments that a particular mode of behaviour was advantageous and conducive to collective living. By consistent use and adherence to it, some particular pattern of human behaviour achieved the status of some obligatory norms which were spontaneously and consciously followed by a definite majority of the group and the custom came to exist.

But Mayne has developed the theme of the origin of custom with perceptible difference when he observes, "A uniform and persistent usage has moulded the life and regulated the dealing of particular class or community, it becomes a custom".[41]

Neither law of nature nor persistent usage becomes a custom unless certain preconditions are fulfilled for its validity as custom, one of the souces of law. Those preconditions are as follows :

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40. Mulla, *Principles of Hindu Law*, Calcutta, 1952 A. D., p.66
41. Pathak, Manjushree : *Crimes, Customs and Justice in Tribal India ... A Teleological study of Aids*, New Delhi, 1991 A. D. p.46

(a) The custom must not conflict with any fundamental principle of state law.

(b) The custom must have existed from time immemorial.

(c) The custom must have been continuously observed and peaceably enjoyed.

(d) It must be certain admitting no plural interpretation.

(e) It must not conflict with the established customs.

(f) Finally, it must be reasonable.[42]

Indeed customs are regarded as *'source of law'* in the sense that they have provided materials for other law constitutive agencies, such as legislation and precedent. Whether they are of themselves law constitutive, has been debated. However, a practice becomes *'law'* only when statute or precedent stamps it as such. Moreover, if a custom is to be elevated to the status of law, it will have to pass through some special social and political mechanism, though Jurist like Austin does not recognise custom as *'law'* until and unless it is recognised by a court of law. Austin's *'a prior'* approach to the matter on the basis of his definition of law as command of sovereign is backed by sanction. According to him customs become law only by virtue of sovereign command. It can be expressed, as in the form of a status or implied and which can be perceived in a judicial decision being carried out recognising a custom.[43]

As per Austinian view, law is the expressed enactment by a sovereign or state or certain judicial decisions styled as positive law. It excludes a large body of rules and customs i.e. unwritten laws, which regulate the life and conduct of human society from the pre-existence state of any regular political government. Obviously, custom has only persuasive value and is not law until pronounced upon by a court as applied in a particular case.

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42. *Ibid.* p.52
43. *Ibid.* p.54

Contrarily the jurists like Holland held a very critical opinion about the Austinian concept of custom and law. According to Holland, custom was law before it received judicial recognition and both customs and statutes are principle or rules which govern and regulate the life and conduct of human societies. The former have their foundation in the collective will or common consent of the people, just as much as the later have on the will or pleasure of a sovereign or a state.[44]

The exponents of Historical School of Jurisprudence like Savigny etc. had different views regarding the origin of customs. According to this school, custom is a law *per se*. A custom carries its justification in itself, provided it assumes the form of volkgeist. Savigny stated that law was found, not made. Only when popular customs in past articulated by lawyers, had fully evolved, could and should the legislature take action.[45]

According to Mordern Jurists, custom is anterior to kings and courts and is coeval with the very birth of the community itself.[46] Custom has its limitation and it is practised when the society is mostly homogeneous. When the society tends to become complex, the custom also becomes less effective and losses its force. The modern view of the jurists like C. K. Allen, is that the custom arises spontaneously from the actual social practices, which acquires an imperative character through the forces of convenience, imitation and instinctive traditionalism.[47] According to him, custom is flexible, elastic and also new elements are necessarily added to it by the process of security and interpretation. In his opinion, custom is the first and most essential law.[48]

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44. *Ibid.* p.47
45. Friedmann. W., *Law in a changing society*, p.19, cf. Pathak, Manjushree, op.cit, p.48
46. Paton, G. W. *A text book of Jurisprudence* (4th edn.) p.19. *cf.* Pathak, Manjushree. *op.cit,* p.48
47. Allen, C. K. : ... *Law in the making* (7th edn.) Oxford University Press, 1964, pp 145-147
48. Chaudhury, J. N. : *The nature of Customary Law and its relation to statutory law of the State*, ... paper presented to the Departmental conference cum seminar held at Zero on 12-14th July, 1984 A. D.

According to the Sociological view, custom is the living law of the people based on social behaviour rather than the compulsive norms of the state. Norms observed by the people, whether in matters of religious habits, family life or commercial relations, are law even if they are never recognised or formulated by the norms of the state.[49]

It is not possible to ascertain the precise beginning or to discover the rudimentary growth of an ancient and long established custom. Its antiquity and immemorial practice depend on the goodness of a custom. Though the origin of a custom which enshrouded in the mist of ages, can not be traced, yet we can ascertain the process by which a certain rule of conduct has come to be approved as custom.[50]

C.II. CLASSIFICATION OF CUSTOM

Considering the nature and observation, the customs are generally classified into two : particular customs and general customs. Particular customs are practised by the inhabitants of a particular local area, which are confined to a particular locality or community only. Whereas general customs are the universal rule of the whole kingdom.[51] In Hindu law, the Smritikars mentioned four types of customs.[52]

i. Local Custom

ii. Family Custom

iii. Community or Caste Custom &

iv. Gild Custom

A local custom prevails in a locality, in a geographical area not confined to an administrative division. On the other hand, family custom is binding only on the members of the family. The Guild

49. Pathak Manjushree, *op.cit.*, p.49
50. Roy. S. : *Custom and Customary Law in British India*. Hare Press, Calcutta, 1911 A. D., p.8
51. Pathak, Manjushree, *op.cit.*, p.52
52. *Loc. cit*

custom is not a part of personal law of the Hindus. This type of custom is connected with the traders and merchants whereas personal laws of the Hindus are mainly covered by the caste or community custom.

Customs of the Riang community are also community custom. It binds the community as a whole. Because the concept of custom. and *Tribe* seems to go together in as much as Tribe is a group of families having a feeling of community occupying a territory and following similar customs.

C.III. CUSTOM AND CUSTOMARY LAW — DISTINCTIONS

The words 'custom' and 'customary law' though appear to be synonymous, yet there are some distinctions and it is necessary to define the sphere and the role played by each in the greater perspective of human culture. All customs do not enjoy either the status or sanctity of law. Customary laws are part of the social customs and as such it may vary from one region to another. Unlike formal laws customary laws are not made by any law making authority but are handed over by one generation to the succeeding generation through the social mechanism of cultural transmission. The customary law is composed of a large body of rules observed by communities and founded on pre-existing rules sanctioned by the will of the community. It exists independently of the sovereign authority and forms the ground work of every system of legislation.

C.IV DIMINISHING IMPORTANCE OF CUSTOM

Though custom is an important source of law, its importance continuously diminish as the different legal systems grow. The shift from customs to legislation is the basic trend in the world legal history, that is, the shift from spontaneously created law to man made law. In an age of repid technical growth, people are not prepared to wait for the slow growth of custom. However, customary law plays an important role in the under developed society, where the society itself act as the enforcing agent.

A homogeneous society is the breeding ground of customs and a society which is predominantly heterogeneous, custom has little to do with its day to day functioning. Today as evident from the pattern of societies all over the world, no society is singular, or homo-

geneous. Moreover, certain foreign agencies, extenuating circumstances and new socio-political developments compel a society to give up their age old traditions and to accept the new ideas and ways of life. There are spontaneous exchange of human resources, science and technology, art, culture, religion etc. As a results it is imperative and explicit that the society is growing pluralistic and obviously, it is against the dominion of customary laws and practices.

CHAPTER-II

HISTORICAL BACKGROUND

CHAPTER - II
HISTORICAL BACKGROUND

1. ETYMOLOGICAL IMPLICATION OF BRUE AND RIANG

The Riangs whose customary laws and practices are the subject matter of the dissertation, call themselves *Bru*. The term Bru generally means man in the Riang dialect, *Kau-bru*. Many tribal communities also use almost similar appellation. The Tripuris call themselves *Barak*, the *Garos achikmandi*, the Lushais *Mizo*, all meaning man. This reveals ethnocentric characteristics of various tribal communities all over the world. The tribal people are proud of such nomenclature.

The question now is why then the members of *Bru* community are known as Riang by others. There must be some reasons for it. Although there is nothing authentic record in writing, however, the Riang tradition says that in early days, the Riangs used to have their own Chiefs/Kings whom they call *Kas Kau*. The *Kas Kau Rajas* were drawn from the Riang community and *Kas Kau Rajas* were in existence in Tripura till the Maharaja of Tripura subsituted the same with Royship. There is every likehood that since the *Kas Kau* Rajas belonged to the Riang clan, in course of time, the community was known by the name of the chief clan.

Another aspect is that the Riang clan is not included in the existing 12 clans of the Riang community. At present there are 12 clans in the Riang community (clan structure of the Riang community will be discussed in details in the next chapter). Why Riang is not included in the clans of the Riang (*Bru*) community is yet to be traced out. The reasons may be that since this was the Chief's clan, it was deliberately not included as clan to keep aloof from the commoners.

The term *Bru* sounds paradoxical. In the opinion of some Riang elites the Bodos of Assam and the *Bru* of Tripura originated from a common ethnic group. Dalton in his *Descriptive Ethnology of Bengal* refers to the story of marriage of a *Bodo* girl which confirms the theory, advanced by Ethnologists that the Tripuris and the Kacharis, both originally belonged to the great Bodo tribe, a branch of which migrated of Tripura in the distant past.[1]

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1. J. N. (Ed), *A study of the land system of Tripura*, Law Research Institute, Eastern Region, Gauhati High Court, 1990, p.6

It is popularly known in the local parlance that the *Riang* or the *Bru* are the descendants of Mahadeva or Shiva, a Hindu God whom the Riangs call *Shibrai* or *Shubrai*. The term *Bru* might have been derived from the word *Bara*, meaning blessing which *Shubrai* was very much accustomed to award. The word *Bara* is also in vogue in *Kau-Bru*.[2]

Although, the Riangs call themselves *Bru* but the term Riang is however, the widely used appellation to denote this tribe. According to them the term *Riang* does not denote the community rather, it is a title which is usually used by the bulk of the people of the community.

The meaning of the word *Riang* is confusing. There are two contradictory interpretations for the word *Riang*. The one appears to be a tribal myth with while the other points out the waves of immigration.[3] The Riangs claim that they are Kshatriyas and *Maladhar Jati* i.e., conservative Hindus who use the sacred necklace of basil plants. They also claim that they are descendants of the famous saint Kashyapa.

According to the folklore traditions--after the great *Kshatriya nidhan Yagna* by the violent Brahmin Parshuram, only a boy and a girl survived. Mahadeva had preserved their souls into a stone which was lying with the hermitage of kashyapa. Thereafter, as per advice of sage Kashyapa, the famous bird *Garura* took away the stone and hatched it on the peak of a hill near the Jumpai hill in the North Eastern corner of Tripura. A boy and a girl came out of the stone called Devatarini and Devalaxmi respectively who were believed to be the ancestors of the Riangs. In the Riang dialect *Kau-Bru,* Garura is called *Biangma*. It is supposed that the word Riang has been derived from *Biang*, the corrupted form of *Biangma*.

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2. Reply of questionnaire by Shri Gity Kumar Riang, son of late Nandaram Riang of Chinibagan, under Kailashahar Sub-Division, North Tripura. At present Shri Riang is an Assistant Teacher of Ramkrishna Shiksha pratistan, Kailashahar, North Tripura. The interview held on 10.11.1992.
3. Ganchaudhury. J. *The Riangs of Tripura*, Directorate of Research, Govt. of Tripura, 1983. p.1.

The other story is that in the course of migration from Burma and Arakan region towards the Hill Tracts of Chittagong and Tripura, the Riangs moved first and the Uchois followed them. In the *Kau-Bru*, the advanced party is called Riangsa and the rear party is called Ulsa. The word *Riangsa* has now been corrupted into *Riang* and *Ulsa* into *Uchoi*.[4]

It may be noted here that there is no authentic written record regarding the origin of the term *Riang*. This has resulted in the emergence of different opinions. However, during field survey, the latter view has been supported by many of the *Riang* elites.[5]

2. LANGUAGE

Regarding language, according to Grierson, the Riangs originally belonged to the *Palaungwa* group of the Austro-Asiatic family of languages, although, at present the language spoken by them belongs to *Bodo* group of the Tibeto-Burman family of languages.[6]

Both linguistically and ethnically the Riangs are akin to the Tibeto-Burman Tribes of North Eastern India. Almost all the scholars in the field like Grierson, Guha, Chattopadhaya, Barakataki and many others have suggested that the original home land of the speakers of Tibeto-Burman dialects of which the Riang is a branch, may be 'located in the South West of China near the head waters of Yang-tse and the Hoang-ho".[7]

The language spoken by the Riangs is called *Kau-Bru* or *Kak-Barak*. The appellation *Kak-Barak* now includes the dialects of the Tripuris, Riangs, Jamatias, Noatias, Uchois etc., because all of them have a common base. *Kak-Barak* belongs to the great Sino-Tibetan Linguistic Family.[8] Languages and dialects of this Family spread in

4. *Loc. cit.*
5. Interview with some Riang elites, such as Shri Bajuban Riang, Shri Gitya Kumar Riang, *op. cit.* and some others.
6. Grierson, G. A. : *The Linguistic Survey of India*, Vol.I Part.I Delhi, 1927 (1967), p.41
7. Ganchaudhury. J: *op. cit.* p.10
8. *Ibid.*, p.I.

different lands as their speakers moved and migrated. *Bodo* is a group or a branch of the Sino-Tibetan Family. To this branch belongs several dialects spoken by the Kacharies, Garos, Rabhas, Lalungs, Kochs, Dimasa, Chutiyas, Tripuris, Riangs, Jamatias, Noatias, Uchois and a few others.[9] Dialects of these tribes are closely related to each other. In the event of distance and long isolation some differences have developed among them. Those dialects have also absorbed many words from the Assames and the Bengalee.

Obviously, this change of language group is specially noteworthy to understand the custom and customary laws of the Riangs. It has already been discussed earlier that during the course of migration, the Riangs came in contact with different other tribes and they gradually switched over their language from Palaung-wa group of Austro-Asiatic Family of languages to the *Bodo* Group of Tibeto-Burman family of languages. There is no authentic record in writing as regards the reasons for change of language group. However, the surrounding situations might have compelled the Riangs to change the language group and being induced by other tribes, to abide by certain pattern of human behaviour in their day to day affairs of life to give vent to their interests, hopes, desires and wants. They could gradually realise through their day to day experiences and experiments that a particular mode of behaviour was advantageous or conducive to collective living. By consistent use and adherence to such pattern of bahaviour, customs and customary laws came into existence.

Kak-Barak language belongs to *Bodo* group of the Tibeto-Burmses family of language spoken over 80% among Tribals in Tripura. The language has been accepted by the Government of Tripura as second state language.

IMPACT OF ECOLOGY AND ENVIRONMENT

Man is a social animal whose genius flowers in his attempts to adopt himself to his environment. The culture or customs of the

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9. *Loc. cit.*

Riangs of Tripura is embodied in the practices and observations of their day to day life, in their interaction with other people inside and outside their group, in their response to the forces of nature both within and without, in their understanding of the world around them seen and unseen. The customary laws and practices of the Riangs of Tripura depend primarily upon the natural conditions under which they live. In severe climatic and geographical condition, a solitary man or family could not wage a successful struggle against the inhospitable environment. An accident or bad luck means immediate starvation. Hence communistic practices are a necessity, "their hospitality, friendliness, absence of jealousy and cheerfulness may be traced very largely to the direct effect of their environment".[10]

The environments of the man play a vital role on the growth of customary laws and practices. The first of these environments the natural environment which consists of soil, plains, hills, climate, rivers, minerals, flora and fauna. The second element of environment i.e., the social environment is the other human beings with whom he is found to co-operate and compete.

A. NATURAL ENVIRONMENT

Man Fashions his customs in relation to his natural surroundings. Communities, e.g. living far way from each but sharing a similar ecology, have unwillingly developed a set of rites and ceremonies which are strikingly similar to each other.

An example may be taken to illustrate the impact of natural enviornment upon the life patterns of man. Most of the tribes living in the wild, rugged snowclad terrains of the trans-Himalayan territories have the common custom of polyandry. Dependent on scanty and rocky lands they are to take care to reduce population to prevent the fragmentation of land and achieve co-operation of all in a household. So the origin of the Khasa Fraternal polyandry [11] in which several brothers enjoy one wife, may be understood in the perspective of their habitat.

10. Hutchinson, Walter (Ed) ... *Customs of the world* : New Delhi 1984/p. IV
11. Ganchaudhury. J: *op. cit.* p.I.

We shall now give a brief description of the land and natural environment of Tripura, the present habitats of the Riangs whose traditional institutions, customary laws and practices are the subject matter of the treatise.

The state of Tripura is situated in the North-Eastern Region of India. It is bounded on the north, south and west by Bangladesh and on the west by the state of Mizoram and Assam and also to some extent by Bangladesh. The territory of the state is situated between 22.56° and 24.32° North latitudes and between 91.10° and 92.20° East longitude with an area of 10,660 sq. Km.[12]

A.I. NATURAL FEATURES

Tripura is largely mountainous. Plains and hills occur almost alternately. There are parallel ranges of the hills running mostly north to south. The territory is however, accessible. The altitude of the hill ranges vary from 50 ft. to 3000 ft. above the sea level.

The state of Tripura now consists of eight districts namely West Tripura, Sipahijala, Khowai, Gomati, Dhalai, Unakoti, North Tripura, South Tripura each of which comprises of many Sub-Divisions and developed blocks, the Head Quarters of which have been linked with motorable roads.

The territory which had been left with no real link at the time of accession to the Indian union, has since been linked with the state of Assam by metre gauge rail line which traverse only a very small portion of the terriory, from the border of Karimganj district of Assam to Kumarghat under Kailashahar Sub-Division of North Tripura. From the Rail Head at Kumarghat one has to travel by road to the state capital, Agartala which is also serverd by regular Airlines service from Calcutta and Guwahati. The isolated existence of frontier state entails enough difficulties and hardships for the people who live there and who perforce have to avail the costly air journey to maintain their link with the rest of the country.

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12. Bhattacharjee Pradip Nath : *Jamatia Folklore — A sociological study*, Tripura State Tribal Cultural Research Institute and Museum, Govt. of Tripura, 1995. p.2

A.II. CLIMATE

The climate of Tripura is more or less tropical. The average maximum temperature is 35°centigrade in May-June, while the average minimum is about 10° centigrade in December-January. The territory receives a heavy rainfall during monsoon. The average annual rainfall is 299 cm.[13]

According to Montesque, the basis of the influence of climate on character is the effect of heat and cold, dryness and moisture on the organs of the human body and climatic conditions have direct connection with the diversities of population in respect to both intellect and passions.[14]

But the explanation of Montesque has its weakness in the light of 20th century science. The climate and physical environment alone do not determine the life and society of man; the other factors being history and tradition, technological advancement, mode of production etc. play vital roles in the formation of human character and their society.

The climatic condition of Tripura no doubt have a direct affect upon the life, character and customary practices of the Riangs as is evident from their indolent character. They are very much averse to hard working and spend enough time for love making, gossiping, singing, drinking and feasting.

A.III. RIVERS AND HILLS

There are few big rivers and many small streams most of which have risen from hill ranges. The principal rivers are Gomati, Howrah, Longai, Juri, Deo, Manu, Dhalai, Khowai, Muhuri and Feni and of which is neither broad nor deep for heavy navigation and flow into the Bay of Bengal through Bangladesh. The names of ranges are Jumpui, Sakhantang, Longterrai, Atharomura, Baramura.

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13. Bhattacharjee Pradip Nath. *Ibid*, p.3
14. Dunning, Willam Archibald, *A history of political theories ... from Luthan to Montesque*, Allahabad, 3rd Indian Reprint, 1970, p-419

Generally, the Riangs select their abodes on the top of the hills that stand nearby hill streams commonly known as *Cherra* in hill Tripura. Besides living purpose, water source is intestitially connected with the life and culture of the Riang of Tripura. A good number of rituals such as *Motoikotorma, Toikhlumi, Tuisongruma-Kartri chamai, Kermi, Toichunni, Tawcharimi, Darirmi, Khanglaimi* etc. are performed by the side of the water source.

A.IV. SOIL

Generally the soil is most fertile in the high land areas which is aggravated by the perpetual burning in the course of shifting cultivation in the hill areas. The riverline flat areas are fertile. In the rainy season however, it is easily inundated and often cause heavy damage to the standing crops. Montesque shown that the influence of the nature of the soil has a definite relation to political system. He holds that in the mountains abundmant facilities for long resistance insure liberty.[15] In Tripura, most of the Riangs reside in the hill areas and they are basically fond of liberty as is evident from the Riang uprising of 1943 A. D.

A.V. FLORA AND FAUNA

Till first half of the twentieth century the greater part of the state was densely covered with primeval forests. Various kinds of plants such as grass, creepers, canes, bamboos, trees and vegetables are abundantly available and these are put to the purpose of food, fuel tools, traps weapons, basketry, house construction and medicine.

Like the flora, Tripura abounds in rich fauna. There are various kinds if insects flies, locusts, scorpions, mosquitoes, crabs, snails, slugs, mussles, fishes, birds, snakes, toads, frogs and also elephant, tiger, bear, deer, porcupine, monkey, cat, pig, dog, goat, buffalo, bison, jackal etc.[16] Obviously, the natural environments of the Riangs of Tripura are far from rigorous, rugged and arid, rather here they get ample scope for gathering wild vegetables, fishing, hunting and agriculture.

15. *Ibid.* p.422
16. Ganchaudhury. J. *op. cit* p.2

So being under such natural environment, the Riangs of Tripura have a steady increase in population, enough time for love making, gossiping and singing : surplus food for smoking, drinking and feasting : 'Crime, murders and strifes were not infrequent; a little elaborate political institutions, and a complicated religious rites, rituals and sacrifices".[17] So the impact of natural environments is reflected in the Riang customary laws and practices relating to economic activities, social life, inter and intra tribal relations and in religion.

B. SOCIAL ENVIRONMENT

Like natural environment, the social environment is also much important in shaping customary laws and practices of a community. According to 1991 census, the total population of the state is 27,57,205 of which the scheduled tribe population number is 8,53,345 which constitute 30.95% of the total population of the state.

Form the table No.I (in Chapter-1) it transpires that the Tripuries constitute the largest tribe which ruled the state for several centuries. The Riangs are the second largest tribe. Besides the tribals, there are people in Tripura which include the Bengalees, Manipuris, Nepalis, Oriyas, Punjabis, Marwaris, Biharis, Malayalis etc. The Bengalees constitue the major group.

The Tripuries, Riangs, Jamatias, Halams, Noatias, Kukis, Lushais and Uchois were the earliest inhabitants of Tripura. The Chakmas, Mogs, Garos, Khasis came later from the adjoining tribal areas, such as Chittagong Hill Tracts and Assam. The rest of the tribes came from the tribal belt of Bihar, Orissa, Madhyapradesh and other distant part of the country to work in the tea garden of Assam and subsequently migrated to Tripura.[18]

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17. *Loc. cit.*
18. Ganguli, J. B. *Economic Problems of the Juumias of Tripura Calcutta.* 1968 pp.46-47

The Riangs of Tripura are overwhelmingly rural people and the level of literacy among the Riangs is extremely low. Various political parties--national, regional, local and communal are active in Tripura. The concept of the welfare state has replaced the old order of chaos, confusion and disorder and extending protective privileges to the hitherto backward community. Obviously, the Riangs are no longer left to themselves. Hence the impact of social environment is increasingly felt.

4. IMPACT OF ECONOMY ON THE GROWTH OF CUSTOMS

Shifting cultivition was the only source of livelihood of the Riangs. They used to reside in the region clad with bamboo forests which was ecologically expedient for shifting cultivation and collection of wild roots. Cotton which is grown by the Riangs in the forests is an older commercial crop and was exported outside by them even before three hundred years.[19] It served as a medium of exchange in the field of economy and brought them new elements of material culture in the form of Mugal coin which were greatly treasured and even now are used as necklace by the Riang women. In course of time adoption of plough cultivation slowly transformed the wild habitat of the Riangs into country side along the meandering course of river. The economic activities of the Riangs mainly consists of food gathering, food producing, animal domestication, basketry and weaving. Every family pursues every activity, not to sell at profit but to meet its immediate demands. The food grathering activity of the Riangs consists of collection of vegetables, fishing and hunting. It is supplemented by food production and domestication of animals and birds. As the forests are receding, dependence on food gathering is decreasing.

The food producing activity of the Riangs is called *Hoo* or *Jhum*. It is carried on the hill slopes once in a year. Both male and female, boys and girls participate in jhum operation. The details of each operation need not be presented here and it will be discussed in detail in chapter-8. However, Jhum was not simply an economy, but is

19. Mukharjee Bhabananda, *op. cit.* p.6

was also a culture which helped the growth of a lot of customary practices among the Riangs.

5. GEOGRAPHICAL AND OTHER LIMITATIONS

The area of the state in the late nineteenth century was 3870 square miles and the then population, according to the latest return, was 91,570.[20] But there was such pocket where not a single inhabitant could reside. The interior of the country was a network of hills covered with dense jungle consisting of bamboos, cane, grass, creepers and brushwood. The principal hill ranges stretch from north to south, somewhere throwing some branches from east to west. Properly speaking no mountain was visible in the state. On the low hills, the hill tribes had their villages or *Paras*. There were no roads in the interior region of hill Tripura.

The villages were connected with one another and the plain country by narrow paths. Except along these paths, it was impossible to travel through the interior of the state. It surprises us to note that in some areas rivers afforded access to places where one could not reach easily by any other means. The rivers were hardly navigable due to the ferocity of their currents. The hilly narrow paths were also difficult to be used during the rainy season. Practically for half of the year, interior of the state was inaccessible to the people residing in the plains, while during the remaining half, access was by no means easy.[21]

This was the world they were acquainted with. We can fairly venture to assume how the hill people including the Riangs, being so unlettered and uncared for, could never extricate themselves from the manifold limitations that had conditioned their existence, not only in the physical sense, but in the more important psychological sense also. Born and reared into the hostility of natural circumstances, exposed to the fear and solitude of the hills and dales, the hill people including the Riangs naturally yielded to religious fables and folktales.

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20. Judicial proceedings, Oct. 1878 A. D. file--207, p.239
21. *Loc. cit.*

These scenario sought in their own primeval way to explain the enigma of their plight, the riddle of existence or the limitations that had been conditioning their singular state of being.

Education--that was really never known what it meant for them. The obvious result was that of a psychological passivity accepting as they did the hard conditions of their existence, uncared, unschooled and unhonoured. So what we call territorial limitation was virtually much more than a single factor. For, it determined the very existence in the cultural, social and even economic sense as well as the attitude of the hill people including the Riangs developed towards their lives. Obviously, it needs no mention that such geographical and other limitations made a tremendous impact on the customary laws and practices of the Riangs of Tripura.

6. HISTORICAL REVIEW OF SOME EVIL CUSTOMS.

A. SLAVERY SYSTEM

It was not unlikely that slavery would be in practice in such a state where the level of consciousness of the people was not so high. The feudal kings of hill Tripura had no headache to do away with the practice till 1878 A. D. despite the Abolition of Slavery Act having been passed in British India in 1843 (Act-V). The system was in vogue in hill Tripura from ancient time. Often slaves were collected from adjoining area under the British Government. "Most of the eunuches of the palace were selected from the slaves."[22]

Although in the official documents, the term Riang was not mentioned specifically, but our survey, particularly the stories as narrated by the old Riang people adequately prove that the Riangs were the primary victims of the institution of slavery during the days of the Tripura Raj.

A.1. NATURE OF THE PROBLEM

In hill Tripura it was not an uncommon thing for a hill man to sell himself for an unlimited period under abysmal pressure of debt

22. Roy Chaudhury, N. R., *Tripura through the Ages*, Revised Ed., 1983, New Delhi, p.51

being incurred by him on various occasions. Generally speaking, such self traffic was done in the hope that the debt would be liquidated.

The custom was undoubtedly hateful. But what is worse, the self traffic remained no longer restricted to those who voluntarily incurred bondage[23] for themselves, but fell invariably on the children, made slaves, if it so happened that their parents died or ran away while in slavery. And what is worst, if the descendants of the slaves died or fled, happened to be girls in the full bloom of their youth, they were reduced to the status of double slaves. For one thing, they had to serve their masters in the usual manners of the daily round. For another, they had to satisfy, willingly or unwillingly, the carnal desires of their masters.[24]

Similar types of feudal exactions can be found in the prevalence of keeping girls as slaves in the houses of the land lords in the Telengana Region of Andhrapradesh even during the first half of the twentieth century. While going to their father-in-law's houses the newly married daughters of the landlords were accompanied by slave girls who were readily available to serve in their new master's house. These slave girls were often compelled by their landlords to serve as their concubines.[25]

A.II ABOLITION OF SLAVERY

We have no historical evidence that anything like antislavery movement or what we may call any change causing radical forces came to take shape. In fact there was none of an antislavery awareness as such. The prevailing socio economic conditions of the then hill Tripura with the communication bottle-necks were the principal factors for the absence of such awareness in the society. Even in British India no move to abolish slavery came from the below. Surprisingly there were many millions of slaves in India even in 1843 when it was legally abolished by Act-V of 1843. How then was the curse withdrawn in the hilly state? The Maharaja's action move against slavery

23. Annual Administrative Report, 1875-76, para-13.
24. *Loc, cit.*
25. Sundarayya, p. : *Telengana peoples Armed struggle*, 1946-51, New Delhi 1985, p.13

is most apparent.[26] No less important was the moral and liberal English tradition infused through intercourse with the British India. The presumption is buttressed up by the fact that a far greater pressure on the Maharaja's Durbar had to be built up by the British in the "Sattee" affairs.

Evidences bring home the fact that the Maharaja although was not opposed to put an end to the custom, took no practical step for its abolition till 1876-77. What might be responsible for the Maharaja lying low in responding to British call, was the influence of the Thakurs which prevailed upon the Maharaja to postpone reform. The Thakurs were naturally averse to give up a custom which supplied them with domestic servants at a very low cost. Even some cases of forcible detention of a wife or a child on the plea of their servitude occured and reported to the political agent for his interference.[27]

Two special cases were reported to the British Government also. The urgent necessity of speedily abolishing the bondage in the hill state was communicated to the Maharaja who readily expressed his willingness to comply with. He only took time to consult Thakur as to the measures to be adopted for its abolition. However, a proclamation was issued in 1878. The inhuman traffic was legally forbidden. Domestic slavery trade in slaves i.e. sell, purchase, receiving pledge or forcible detention and like ... all these were brought to an end.[28] Indeed contracts of service for a period not exceeding three years could be made. Any violation of the order deserved punishment by the criminal courts.[29] So was the legal injunction.

Those already condemned to have been slaves were offered choice either of leaving their masters or staying with them not certainly as slaves but as contract labourers. In case of violation of the contract, either party could seek justice in the court. It would be a long way to

26. Annual Administrative Report, 1870-78 (Judical) proceedings, Oct. 1878, file No. 207, proceedings para 40-43, p.228
27. Annual Administrative Report, 1876-77, para 99 (No. 196, dated, Agartala the 17th July, 1877)
28. *Ibid. para* 43.
29. *Loc, cit.*

compare the Maharaja's anti-slavery move in hill Tripura to the much bolder one set on foot by Abraham Lincoln in the troubled history preceding the American Civil War. The Tripura Maharaja had none of the anti or pro-slavery forces to encounter. None of such thing as that of the 350 petitions presented to the House on a single day (Feb. 14, 1838)[30] had been faced by the Maharaja. There was no danger of a civil war either, like the one that shook the North and the South of America. In fact no potential tension made itself felt in hill Tripura.

In British India also very little sensation was created by the abolition of slavery (1843).[31] But something of what may be called a pro-slavery force became most apparent as soon as the anti-slavery proclamation came out. The Thakurs who was the main patrons of the institution of slavery, got disappointed.[32] But the reaction of the Thakurs was most powerless when compared to the massive resistance offered by the conservative South of America to the Northern enlighted move. No tension could be built up by the displeasure being incurred of the Thakurs.

However, enlightened the Maharaja's step in this case might be, it can not be equated with that of Lincoln's. His was a much poor mover which, however, benefitted the poor and the depressed on the one hand and on the other, satisfied in a way, the neighbouring British counterpart, not to speak of the countable few--the Thakurs in the main--who dealt in human lives and were allowed no more to do so.

Still, whom all is said, it must be admitted that the trade in slaves, thanks to the Maharaja, was stopped in hill Tripura. The results were manifold; the persons who solely depended upon their slaves were not much inconvinced because they could have the like of the former advantage by making new contract of service. So something

30. Walter Bhair, J. S. Millar. Jt. Stewart, R. : *American Literature-A brief history* (Revised edition), Scott, Foesman & Company, p.104.
31. R. C. Majumder, H. C. Roychaudhury, Kalikinkar Dutta (Ed.) : *An Advanced History of India*, New York, 1965, p.826.
32. Annual Administrative Report. 1878-79, para-40 (Judicial proceedings) file No.77A, Proceedings 6-7, Nov.1879. p-209

like compensation was given to them.[33] The formerly condemmed slaves on the other hand, achieved a new kind of advantage, that of selling their services instead of selling themsleves, thus getting themselves food and clothing (aftera fashion though) without being fettered with the miracle of slavery that often plagued them for more than a generation.

A.III IMMEDIATE CONSEQUENCES OF THE ABOLITION OF SLAVERY

Domestic slavery had effectively put an end to. There was an institution among the Thakurs. Since the issue of the proclamation by the Maharaja, a few persons, mostly females who used to serve nearly as slaves in the houses of some of the Thakurs, came out. They were allowed the liberty they deserved of going to live with their friends. At first this caused some irritation among the Thakurs. But the Maharaja at the suggestion of the Political Agent, personally explained to some of the leading members of the Thakurs, the justness of his proclamation and expressed his determination of giving full effect to it. The matter was then again by bit of drums made known to the general public. Soon after this a few more slaves came out, most from the houses of Thakurs, and separately settled themeselves according to their choices. Two women who used to attend a daughter of the Maharaja came out as well, and were allowed to live outside without any objection.[34] The Lieutenant Governor had learnt with much satisfaction of the abolition of slavery.[35] Boardly speaking, the abolition of the inhuman custom had given universal satisfaction to that community which had supplied slaves of themselves. They had a sigh of relief being thrown out of the cluches of the system which had long before seized to operate in adjoining British India.

Finally, we wonder if the abolition of the system brought about any other substantial change in the social status of the people who

33. Annual Administrative Report. 1877-78, para-43
34. Annual Administrative Report, 1878-79, para-42
35. Latter from her Magesty's Secretary of State for India (file 77. proceedings-84. 1879 political).

still continued to render service to their masters as house servants. What could be described a departure from the earlier tradition, was the making of a contract of service which ultimately reduced the bondage period from a life long term to a brief span of three years.[36] Nevertheless, the newly born three years bondage, we apprehend, could be multiplied either by mutual agreement or by some other means which history seldom records.

B. JOYELS SYSTEM--ITS NATURE

Another age old institution inimical for society was the classification of a kind of subjects called Joyels. It was in vogue among the tribes of Tripura including the Riang for a pretty long time during the princely days. The Maharaja's wives and sons had been entitled to make Joyels i.e. to engage servants from the hill people. This feudal privilege was also enjoyed by the near relatives of the Maharaja causing vital damage to social relations and upliftments.

Under this feudal system, the Joyels were supposed to be liable to their master, and not to the state. They paid family tax to their masters, and not to the state exchequer.[37] Surprisingly enough, the rate of the said tax as paid by them was much lower than the amount being paid by other subjects of the same social rank and status to the Royal Government. Besides, the very nature of the job of rendering personal service to their master and exemption from payment of taxes acted as strong inducement to their fellow brothers who sometimes opted to become Joyels en-masse.[38]

B.I. THREAT TO ROYALITY

The king was afraid of a threat to royalty. The threat was not apparent. It could be sensed in the way, loyalty to the Maharaja changed overnight by becoming Joyels. For, the hill people turned themselves into Joyels immediately as the occasion arose, no matter how the king would take to such acts of theirs. The quick and abrupt

36. Annual Administrative Report. 1877-78, para-43
37. Annual Administrative Report, 1878-79, para-53
38. *Loc. cit.*

shift of allegiance clearly pre-suppose that the bond, if any between commoners and the king had become weak and ineffective by the time. Not only this, the act of becoming Joyels en-masse further reveals the fact that the command of the royal authority over the subjects had been immensely slackened, the command on which the security and stability of the Royal Government so much depended.

By the time, the Maharaja became virtually senstitive to this apprehension. The number of Joyels in the state became too great to be easily determined. So the Royal Government felt the necessity of enlisting their number, caste, current where abouts and to whom the Joyels were rendering personal service.[39] In addition, collecting dates of creation if any, of special Joyels was equally felt necessary for some special purposes. Secondly, the collectors were also to identify the other subjects of their rank and to learn about the rate of tax being paid by them. So most of the surviving facts, discussed so far, show that the common subjects had by the time developed a sense of economic inequality among themselves.

The fact that they easily shifted their loyality to the king is enough evidence that the common people had nothing to do with the feudal kind of ban naturally existed between the king and his subjects. As a result, the Royal Government had suffered a considerable loss, both of the former control and revenue.[40] On the other hand, the Joyels system resulted in another kind of social inequality among the so-called upper class, those of Royal blood who could enjoy the prerogative of employing Joyels and those who could not, were two sections, distinct from each other, the one getting the better of the other.

B.II ABOLITION OF THE INSTITUTION OF JOYELS

Thus the joyels system was something more than a mere source of income and aggradisement[41] to the near relations and members of

39. Dutta and Bandopadhyaya (Ed). *Rajgi Tripurar Sarkari Bangla*, Education Directorate, Tripura, 1976. p/98
40. Annual Administrative Report, 1878-79, para-53
41. *Ibid*, p.57

the Maharaja's family. Perceptively, the slackening of state control and authority over the Joyels which posed a oblique threat to the Royality must have been the most potent factor involved in the immediate need to abolish the system.

Secondly, the member of the Royal family had taken advantage of the privilege of employing Joyels to such an extent that it threatened to do serious harm to the state.[42] Then the Political Agent had done the spade work by giving suggestion to the Maharaja who caused the system to be ceased.

At last the abolition was called for with the suggestion that all the Joyels should pay their tax to the state at the full rates and they should also be exempted from the liability of rendering service to the members of Maharaja's family. The Maharaja had since accepted the advice and the abolition of the system had been proclaimed.[43]

It is evident that efforts were made to introduce some measures for the permanent cure of the age old system even after its proclamation. During the early years of Radhakishore Manikya's reign, the Joyels subjects were still living in the Government land. So steps were taken to collect revenue and taxes from them during 1309 T.E. (1899 A. D.).[44]

To make our discussion worthy and interesting too, we may refer to, if not compare with, the Vetti system prevalent in the Telengana region of present Andhra Pradesh even in the first half of the twentieth century. The system was mainly confined to tribal areas or some extent of the most backward social communities in other areas. The Vetti system which affected all classes of people in varying degrees made it compulsory for every Harijan family to send one man from the family to do Vetti.[45]

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42. *Ibid*, p.53
43. *Ibid*, p.57
44. Dutta and Bandopadhyaya *Op, cit.* p.99
45. Guha, R. (Ed.), *Sabaltem Studies* (Oxford University Press, New Delhi 1986). p.48

In any small village in Telenga region, the system was in vogue. Under the system, the people sent to do Vetti had to do household work in the house of the Patels, Patwari, Deshmukh etc. They were also asked to do extra work whenever an officer visited the village. Thus like the Joyels system the Vetti system made the life of Telengana people one of the utter *serfdom*[46] and abysmal degradation. It dwindled man's self respect. So the movement of the abolition began to gather momentum.

It is evident from history that the Riangs not only participated in the Royal Army, but as 'planken bearers' of the Tripura Rajas, they served the Royalty. This system of planken bearers was nothing but an expression of the *Joyels* system, although with the departure of kingship in Tripura, the age-old *Joyels* system was also given good bye.

C. SATEE SYSTEM

Satee another ghastly system, which had been prevalent in British India till the first quarter of the nineteenth century, was in vogue in hill Tripura from ancient time.[47] It was most inhuman that on the death of a husband his widow had to burn herself in the funeral pyre of her husband. This system called Satee i.e. self immolation by the widow of the deceased was more prevalent among the Hindus in British India. The Satee custom in course of time assumed an inhuman, ghastly character, for widows unwilling to become Satee i.e. immolate herself in the funeral pyre of the deceased husband were forcibly thrown into the burning pyre. Enlightened Indian opinion ran high against this inhuman rite. The authorities of the East India Company were in favour of prohibiting Satee from the time of Lord Cornwallis when directives were issued to look into the matter.

46. Serfdom--Throughout the Middle Ages at least in the originally Celtic countries, 'for instance, in Argon the most ignominious, 'Serfdom' prevailed until abolished by the decree issued by Ferdinand the Catholic in 1486. The Lords were restrained from availing themselves of the services of the sons and daughters of the peasant with or without payment against their will. (The origin of the family, private property and the State. Frederick Angels, PP.52-53. Progress Publishers, Moscow, First printing 1948).
47. Singha. K. C. : Op. Cit. p.188

Finally, it was Lord William Bentinck who ordered the abolition of the rite of Satee by the famous Regulation-XVII of 1829 passed on the 4th December 1829 A. D.

C.I SATEE IN HILL TRIPURA

In hill Tripura, as we find, the cruel system of Satee continued to be practised for a long period of time even after its abolition in British India in 1829. As is experienced in abolishing--trade in slave, no agitation was set on foot to force the authorities at home to adopt measures for below gained strength to prepare the ground for its abolition. Rather the Bengal Government was prompt enough to draw the attention of the Maharaja's Government to the practice of Satee. It was made known to the Maharaja's Government through the Assistant Political Agent Umakanta Das that the British Government would not allow any further delay to occur in sending the opinion of the Royal Government regarding the abolition of Satee.[48]

The Maharaja was prompt enough to make it public that the government had no inclination to go against suppressing the custom of Satee which at that time existed only among the hill people in the interior of the state.[49] This hill people included the Riangs. But no immediate positive step was taken by the Maharaja's Durbar to do away with this system.

On the contrary, strong cases of Satee were used to be committed in the Maharaja's territory.[50] So, the British Government gave serious thought to it and was very anxious to know whether there had occured any more cases of Sateee in the hill territory in the course of the last four or five years and what steps, if any, the hill Tripura Authority took to prevent them.

Among the tribes, Jamatias were orthodox religious people and their widows were accustomed to the practice of Satee. During the

48. Letter No. 446,. dated 16th May, 1889 found in Secretariate Record Room, Agartala
49. Letter dated 22nd May, 1889 from the Maharaja's Government.
50. Political Agent Letter No.1339/XVI-27, dated 6th June 1888 A. D.

last quarter of the 19th century, during his official tour in the Sonamura Division in March, 1887 A. D. the Assistant Political Agent Babu Umakanta came to know that three cases of the kind took place amongst the Jamatias in the course of the last two or three years.[51]

Although, in the official records and documents there is no specific mention of the system of Satee in the Riang society, still during survey the present researcher has come to learn from a lot of old Riang people that this practice was common in their society of their hill people of Tripura. The evidences push us to believe that constant British pressure through its political Agents could not be set aside in formulating Maharaja's policy towards abolition of Satee.

C.II MAHARAJA'S POLICY OF NON-INTERFERENCE

To cope with the vexed question, a moderate policy was adopted by the Maharaja. This is evident from the fact below. Though the Maharaja's Durbar felt it very urgent to put an end to this system which, by all means was against all civilised norms and practices, the sudden interruption of the custom by passing an Act from the above might result in a reaction and incur the displeasure of these uncivilised and illiterate people living in distant hilly lands. The Durbar also argued that the conservative and orthodox religious susceptibilities of the people who regarded it as sacred rite might be adversely affected by the sudden abolition of the system. It was also revealed from correspondence that the real victims of the hateful custom were living in wretched poverty and undeveloped conditions.

This unusual matter of living of the hill people was one of the potent causes of their sticking to the age old custom. It was not unlikely that any interference from the Durbar with their traditional custom might cause sense of dis-satisfaction and disquiet among them. The Durbar again put forward a new proposal to the British Government in India. It was proposed that every Satee should de-

51. Letter No. 276, dated 11th June, 1888 to Bangacharan Bhattacharjee of Hill Tipperah.

clare before the Maharaja or an officer appointed for the special task that she was sacrificing herself by performing Satee without being compelled or intimidated by any person. The Durbar would not allow a single case of Satee to be performed unless the declaration made by any Satee was proved valid and convincing without any shadow of doubt before the eyes of the officer appointed for the special pupose. Any violation of the arrangement would be treated as a serious offence under sentence of death. By adopting these preventive measures, the Durbar was in the hope of doing away with the custom hitherto in practice in far-flung areas.[52]

However, the practice of Satee was in a state of decline. We cannot deny the fact that the recurrence of Satee was at a low ebb during the close of the 19th century. Having studied the circumstances thoroughly, the Durbar had come to the conclusion that no prohibitory order or law ought to be passed for the immediate abolition of the custom. Rather it should be allowed to die out automatically.[53]

It remains to be observed here that the policy, the Durbar adopted, was diplomatically forked. On the one hand, it refrained from interfering with the so-called sanctity of the Satee rite (in which the widow must sacrifice herself willingly), thus ceasing to get access the orthodoxy and on the other hand, it ceased to dishonour the British with outright and hinted for a policy moderation only to be approved by the British.

That the Durbar cared a great deal about the British reaction can be deduced from the fact that under mounting political pressure to abolish Satee, the Maharaja could only respond by sending a new proposal for tacking Satee in his state only to be seconded by the British. Thus it reveals that the Maharaja did not dare antagonise the British authority. Beneath the facade, one can discover a policy of appeasement.

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52. Letter written by the Durbar to the Government of India dated, 3rd September, 1888, found in State Secretariat Record Room, Agartala.
53. *Ibid.*

C.III POLICY OF NON-INTERFERENCE : A DISTINCTION

We should not miss another aspect of the policy, adopted by the Maharaja, which made it district from its counter part in British India. In British India, the relations and the neighbours of the victim of Satee perpetrated the inhuman crime by taking resort to different deceitful means in a dirty way often forcibly. This coercive measure according to the Durbar, precipitated the Government to make regulation for the abolition of the rite of Satee in British India. But the British Durbar wrote to the Government with a feeling of satisfaction that this diabolical aspect of the rite was anything but frequent in hill Tripura. On the other hand, the Maharaja's Durbar defended that most of the cases of Satee being performed in hill Tripura, were emanating from a pure religious motives.[54]

After making an appraisal of Satee affairs being experienced in hill Tripura the Durbar very confidently declared that the current policy of the state in connection with Satee might be deemed best for all time to come. This was what might be called non-interference with the root cause of the custom of Satee. In order to keep the system immune from coercion and intimidation having been perpetrated in British India, regular vigilance should be exercised in the matter. If any person found indulging in practicing Satee, he should be at once severely punished.[55]

Thus the policy of non-interference made it distinct from its counter part in British India where a direct interference with the custom of practising Satee was given effect to by the famous Regulation XVIII of December, 1929 which declared Satee illegal and punishable by courts. Not only this, those who were associated in any way with the cruel act of Satee were to the regarded as criminals.

Another aspect what made it distinct from British India was that in its seal for reform, the British Government received active

54. *Ibid.*
55. Letter from Dr. R. Lyall. Esq. Commissioner of Chittagong to the Political Agent. Hil Tipperah. No. 687. HVIX-21, dated 22nd October. 1888.

co-operation of the educated Hindu leaders of thought as also the Judges of the 'Sadar Nizamat Adalat'. Among the leaders of the enlightened Bengalee opinion, the names of prince Dwarkanath Tagore and Ram Mohan Roy deserve special mention. But ironically signs of this progressive spirit were lacking in hill Tripura. No enlightened public opinion asserted itself to exert pressue on the Maharaja's Durbar.

Another noticeable feature was that the suppression of the custom of Satee evoked loud protest in India. A largely signed petition of remonstrance was presented to the Governor General and an appeal was made to the authority in England. But no signs of protest of any kind were experienced in hill Tripura when the living cremation of Satee was prohibited by the Durbar in 1889. However, the ploy of Durbar put forward to evolve policy of compromise not to strike the root cause of Satee could not be carried on for a long time. The exigencies of time called for an immediate and complete prohibition of the custom of Satee.

C.IV. THE PROHIBITION OF SATEE

From the facts furnished above, we may very justifiably deduce that the force of change was not powerful enough to make any headway in the social inertia prevalent in the then Tripura. Any way, the practice by itself was in decline. The submission of the Durbar to the Government of India led us to believe that committing Satee had not been forbidden. The half hearted policy of the Maharaja made conditions easy for the revival of the custom as it was quite clear that "what is not forbidden, is allowed, or in other words, tacitly encourged".[56]

The British Government was much anxious to bring about an outright change in Maharaja's policy towards Satee. The worry of the British Government was futher enhanced when it failed to impress upon the Maharaja the most diabolical aspect of the custom. The passivity of the Maharaja to take a bold step was tantamount to a direct encourgement to a barbarian act which was seldom in vogue in civilized world.

56. *Ibid.*

Even in British India, this custom was legally prohibited nearly sixty years back. The British, therefore, never ceased to sustain constant presure on the Durbar to pass a law against the custom and to enforce it in conformity with the Regulation XVIII of 1829 A. D. The pressure thus mounted the Maharaja's Durbar no longer held aloof and it was Assistant Political Agent Umakanta Das who took the lead.

Remarkably, the efforts of Umakanta Das, coupled with the sincere co-operation and assistance of a Minister to the Maharaja's Durbar, Mr. Mohini Bardhan, produced positive results. Thus the pressure brought upon the Maharaja's Durbar both from within and without, paved the way for an open declaration by which the practice of Satee was prohibited by the Durbar in 1889 A. D.[57]

A thorny problem Satee was thus solved apparently. But the remnants of the Satee system lingered on, particularly in the Riang society for years together, and there was no royal watch in the interior hills to stand against that age-old custom.

D. TAITUNG CUSTOM

Taitung was a faudal type of exaction in kind. A clash of economic interest of the Riangs can be seen in the preservation of this feudal system. Maintaining communication with the interior villages in the hills was a chronic problem for the administration. It was obligatory on the part of the tribal people to supply to the state a portion of labour required by the Authority, when troops of officers sent by the ruling king marched through the hills, the villagers had to supply them with luggage bearing who were locally called Taitung.[58] It was kept outside the purview of the house tax collection.

In every village line on the line of their narrow path alternate persons took the charge of carrying the luggage giving a relief to the former. Even families were not exempted from serving as Taitungs. While the Taitungs were compelled to offer their labour, no question

57. Singha. K. C. op, Cit p.189
58. Judical proceeding, September, 1983, Nos. 16-19, p.70.

of payment could be raised by them. In 1901 A. D. a provision was made that four annas would be paid to those who would carry loads of governments officers.[59]

But practically there was no change in the basic character of it which was equivalent to begarkhata. Similar type of feudal exploitation of labour was prevalent in Talengana region of Andhra Pradesh during the first half of twentieth century.[60] Mohini Mohan Bardhan, a pleader of Comilla and later a Minister of Tripura, tried his level best in 1886 to abolish this exploitative custom.[61] But he was also not successful and the system continued. With the beginning of the second World War, Tripura occupied an importan strategic position in military operation due to its closeness to the Indo-Burmese border via Chittagong Hill Tracts. The Riangs of southern Tripura were to be engaged in this begarkhata system in large numbers to satisfy crying demand of the authorities.

The age-old custom what had been the cause of the grievances of the tribes in general, turned to be a particular issue of the Riangs. The system was in no way better than the corvee or forced labour prevalent in the days of Charlesmagne in Medieval Europe. It was according to Mahim Chandra Debbarma like the Laloop of Manipur State. There Manipuries paid little in money. So they were to do physical labour for others.[62]

The Janamangal Samiti and the Tripura Rajya Gana Parishad from the late 1930s raised the cry for its abolition. The Jhumia Riangs of Tripura were no longer ready to suffer the oppression quietly but were preparing the ground to rise in revolt under the leadership of Ratanmani.

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59. Tripura State gazette Sankalan, Agartala, 1971, p.34
60. Sundarayya P. *Telengana people Arm Struggle*, 1946-51, New Delhi, 1985, p.13.
61. Mahadev Chakraborty, Joytish Dutta. Ratna Das, And Bhismadev Bhattacharjee (Ed) : *Kailash Chandra Singha's Rajmala*, Agartala, 1390 B.E. pp.188-200.
62. Devbarma, Mahimchandra : Deshiya Rajya, 1332 T.E. (1922), Agartala, pp/ 286-87

7. SIGNIFICANCE OF SOCIAL CHANGE

On the basis of limited source materials, it is difficult for us to trace out the main forces operative in bringing about transfromation, if any, in the social structure prevalent in the hill state. Most remarkably, the forces of change or what we may call a counter force, however, superficial against the social predicaments, viz slavery, Joyels Satee etc. were set in motion. We will propose here a different analysis--somewhat distinct from conventional one. Far from being generated from the below. The counter force against these social evils operated from above, that it to say, the Maharaja Durbar was directly or indirectly involved in bringing about a change of the conventions. Not that the ruled were completely unaware of what was going on in the Royal Palace. For in the case of slavery or Satee there is little evidence of the masses being involved actively on either side--for and against. So the initiative came from the above. The state of passivity maintained by the masses was largely due to their being geographically confined to a limit enclosed by hills, thus being conditioned by an absence of active reciprocation with the wave of change which had swept over the mind, say of Bengal. There were vast areas in the life and consciousness of the mass people which were not enlightened, rather, rendered virtually ineffective for lack of education and awareness. There was no Ram Mohan either. Since it was virtually impossible, in hill Tripura during the closing year of nineteenth century, to evolve a historical force from below, the head of the sate provided the only possible access to the outside world. Ironically enough the weave of nascent forces of change made way through the British machinery and subsequently through the machinery of the state.

8. ROLE OF CUSTOMS AND CUSTOMARY LAWS DURING THE RIANG UNREST OF FORTIES

In this section, we shall try to analyse how custom and customary laws played some important roles during the Riang unrest of forties. Major factors responsible for the Riang Uprising of 1943 A. D. may be analysed broadly under the heads :- 1) Social, 2) Eco-

nomic and 3) Political. But we shall limit our disussions to the social and economic factors only so far as relevant for our purpose.

A. I. SOCIAL

The Riang unrest in one sense was retrograde and nativistic in combining traditional religio-cultural elements with an utopian vision of that millennium which the Riang had only heard.

A.II. GLORIOUS PAST OF THE RIANGS

The Riangs had their own social customs and conventions which had been in vogue from time immemorial. Before their subjugation by the Tripura king they had also their own kingdom comprising from the source of the sacred river Gomati, i.e., eastern part of Dumbur to the Mayani region of the Hill Tracts of Chittagong. It is said that in those so called golden days of history, the masses used to elect their *Rays, Kachkaos, Senapaties* and *Sardars* in a democratic way. But gone were those days of election giving way to nomination by the king.[63]

A.III DISMISSAL OF DEBI ROY

According to the custom prevailing among the Riangs one could not be the Roy of Riang society during the life time of existing Roy. But king Birbikram Kishore dismissed the existing Roy named Debi Sing Riang of Amarpur and appointed Khagendra Choudhury of Bagafa (Belonia) as Roy of the Riang community on the simple pretext that the former had become over aged. Furthermore, in a meeting of the Riang Sardars, kings protege Khagendra Choudhury insulted Debi Singh, the duly elected representative of Riang community.[64] To add

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63. Bandopadhyaya Suprasanna : (Ed) : *Riang* (in Bengali), Agartala, 1968, p.43
64. Sen Tripur Chandra : *Tripura in Transition*, Agartala, 1970, p.15

salt to their injury, the post of Missip[65] or a liasion officer between the king and the head man of a tribe, was created by the king who nominated his trusted man or his kith and kin to this post.

A.IV MEDIATION ATTEMPT

During the reign of Radhakishore Manikya (1897-1909 A. D.), some troubles cropped up, during the election of a new Roy of the Riang community. The king appointed one Pumpaicha in 1902-1903 A. D. as the Roy of the Riangs.[66] But the king Birbikram could not comprehend that the dimension of dis-satisfaction of the Riangs in the 40s was quite different from the previous one. The hills of Tripura were in a state of burning. Major section of the dwellers therein had very little to subsist.

This change of Roy and others through violating Riang customary law, was vehemently opposed by this unprivileged have-nots ; as Khagendra Choudhury being a representative of a microscopic minority haves among the Riangs, wanted to control every thing through money power and muscle power under the influence of the king.[67]

At first, the Riang leaders tried to avoid confrontation and they approached Rang Bhanga, the Sailo Chief of the Jumpoi Hills of

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65. Missip was generally a trusted man of the king and was one of his kith and kin. In the following diagram is shown the structure of Tribal Administration in the pre-integration days.

The king of Tripura
Missip or the liaison officer
Roy or Headman of the Tribe
Sardar or Chief of the Village
Individual Tribe.
(Mishra Bani Prasanna, *op, cit*, p.41)

All complains/allegations of the Roy/Choudhury of the Riang society used to be placed before the king through the Missip (Dasgupta T. *ibid.* p.27).

66. Misra Baniprashanna, *op. cit*, p.42.

67. Reply of questionnaire by Kantaram Riang. Dasda, Kanchanpur, North Tripura and a follower of Ratanmani, sent by the present researcher, 7th October, 1991.

Tripura to mediate the dispute between Devi Singh and Khagendra Choudhury.[68]

The influence of Sailo Chief who paid tributes to the Tripura Durbar, forwarded the case of dissatisfied Riangs to the king of Tripura for taking necessary action. But the grievances of the Riang people were not at all considered by the king as such type of events occurred previously.[69] The social reforms like the proportionate age level in marriage, polygamy etc. though became necessary emphasised by the new Roy and its followers, were unacceptable to the Riangs. They favoured their age-old traditions and democratic processes which were to them the sure guarantee to preserve social compactness. In fact, new and newer events took place in the Riang society as outcome of clash of interests between the Chief and the ordinary folk.

A.V. RELIGIOUS CONFLICT

On certain religious occasions the followers of Ratanmani came in direct conflict with the followers of Khagendra Roy. One of such occasions was an assembly in the Tirthamukh Mela.[70] From a long time past, all Hindu Tribals and other people used to assemble at Tirthamukh Mela held on the last day of the month of Paush of Bengali calendar each year when they threw their dead relatives bones and asti in the river Gomati with offering tarpans and performing pujas.

Bengalee Brahmins of Comilla and Sonamura used to visit the place on that occasion and perform pujas and Tarpans. But the followers of Ratanmani in collaboration with the Riang Coudhuries disallowed the outside Brahmins to chant any mantras and which the disciples of Ratanmani began to perform by themselves. Here Ratanmani and his followers stood in favour of their old tradition and restored the time honoured custom which became popular in the Riang society. Roy Riang wanted to make some reform in the

68. De. R. K. : Socio-political Movements in Tripura, 1905-1952 ... A Historical study, An unpublished Ph. D. thesis, Tripura University, 1994.
69. Sen Tripur Chandra, op. cit. p.15
70. Tirthamukh Mela, op. cit. Ref. Sl. No. 32 of Chapter-I.

Riang customary practices and started performing those rituals by the Hindu Brahmins instead of Riang Ouchais.[71]

It is difficult to ascertain the exact date when this break in time honoured custom took place. Again we find that since 1940s. Ratanmani and his followers restored the old custom and tradition.

The profits earned by the restoration of old customary practice, were divided equally between the Riang Chaudhuries and the disciples of Ratanmani in respect of their share of money realised form Trithamukh Mela. But this gave rise to a quarrel between the Chaudhuries and the followers of Ratanmani which became acute. The situation however did not turn into a rising against the Chaudhuries who complained falsely to the king. The latter arrested Ratanmani and kept him in along[72] at Agartala for some days.

According to popular belief, Ratanmani managed to fly from the captivity unseen. This incident increased his prestige among his disciplies who believed him to be a superman and that he could change his form at any moment.[73] To them supernatural intervention was imminent to remove the enemies and to establish a terrestrial state of righteousness and justice for the Riangs.

B. ECONOMIC

The orgin of the Riang movement seems to be conditioned largely by peculiar economic situations which caused severe mental tension and distress.

B. I. LAND PROBLEM

The administration of Tripura was of the type of loose confederation in which every different tribe enjoyed considerable freedom

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71. Dasgupta Taritmohan, *op. cit.* p.40
72. Along : it was the combination of a detension camp maintained in the palace at Agartala for the detenues as well as a barrack for the Brindias (King's force) which was composed of Tripura people only. Under trial prisoners were also kept in a along (Sen Taripuchandra, *op. cit.* p.88.
73. Dasgupta Taritmohan : *Ratanmonir Gana Riang Bidroher Adhyatik Patabhumi* (in Bengali). Gomati, Quarterly, Agartala, 1976, p.9.

in its internal affairs.[74] The king had little say over the distribution of land among the Jhwnias, that is, Riangs, Chakmas, Noatias etc. as the Roys and Sardars of these communities distributed it. Hunter writes in 1876 that in the hills there were no tenures at all. It was inconsistent with the hill mode of cultivation. It existed where authorities had succeeded in inducing them to abandon the indigenous Jhum cultivation.[75]

B.II HOUSE TAX ISSUE

For pursuing shifting cultivation called Jhum on hilly lands, the hill men were liable to pay a tax named Gharchukti. The rate of the tax per family used to vary from tribe to tribe.[76] The assessment was made considering only the house and not the quantity of land under Jhum cultivation.

The procedure for collection of Gharchukti or House tax was as such :

During the Puja festival, the headman of each particular tribe settled with the king the amount to be paid by each family and the families in their turn paid the same, irrespective of the number of the persons in a family. But the system of collection left every scope for the collectors to exact more from the tribals under various pretexts and often with loss to the Royal Exchequer.[77] The grievance against collecting Roys and Sardars began thus to be accumulated to find ways through an uprising.

B.III. NATURE OF THE HOUSE TAX

There was a remarkable diversity in the rates of family tax or House tax payable by different tribes of the hill people. Almost every tribe had a rate of its own.[78] From the different rates of House tax as

74. Hunter W. W. *A statistical Account of Bengal*, Vol. VI. Delhi, 1973, p.9
75. *Ibid*
76. *Loc. cit.* 77. Menon K. D. (Ed). *op cit.*, pp.249-50
77. Menon K. D. (Ed). *op. cit.* pp-249-50
78. The political Agent on 7th July, 1887 writers ... Tippera Proper, the Puran Tippera and the Jamatias paid the tax at the rate of Rs. 3/= and annas 8, a year while the Noatias paid it the considerably high rate of Rs. 8/= annax 10, which was also the rate of the Riangs. ... The Kukis did not pay the tax at all". (Annual Report on the General Administration of the Political Agency of Hill Tripura for the year 1886-87. Sl. No. 3151S, Agartala.)

mentioned in the footnote (No.78) it will be evident that how the Riangs, in comparison to other tribes had to pay nearly double the amount as house tax.

Obviously, question arose, why were then the Riangs not exempted from the cash payment of Gharchukti tax. It is known why they were not exempted from paying in cash, the amount more than double, although there was no dearth on their part in military efficiency like Kukis and other tribes.

So the Riangs were left with no alternative but to cross the border in order to evade the payment. Sometimes the Riangs paid it with much reluctance and sometimes state's Sepoys had to be deputed to realise the tax at the objected rate and misbalanced in other ways. They were induced to make this step often in consequence of the exorbitant high rates of the house tax and the export duty on cotton etc.[79]

Under the circumstances when non-violent methods like prayer, petition, suggestion etc. failed to evoke any response, only the violent means remained to be tested for fulfilling the long-standing grievances. Thus the customs and customary laws and in some cases the break in the tradition played an important role in the Riang upsurge of 1943 A.D.

B.IV. MARTIAL BACKGROUND OF THE RIANGS

Once the Riangs had their own kingdom (shown in the map of Tripura of early 15th century) and they constituted one of the strongest pillars of Tripura's Military Force. They were much respected for their martial qualities.[80] In history, the Riangs played prominent role in the Royal army of Tripura.

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79. Annual Report on the General Administration for 1886-87, *op. cit.* Sl. No. 19. TSAR.
80. Debbarma suren : *Riangder Katha* (in Bengali), *Gomati* (Quarterly Bengali) Jaistha, Agartala, 1397 B. E. pp.6-67.

W. W. Hunter writes, "Alauddin Husain (1490-1519 A.D.) made repeated attempts to reduce the area of Tripura, but these were repulsed by the Tripura kings with the help of the Riangs who still retain some insights captured from the Muslim invaders".[81] A few Riangs namely Kalakhan, Chamtumkhan, Rai Kacham, Rai Kachog were even chiefs of the Royal Army. Maharaj Dhanya Manikya (1490-1516 A. D.) defeated the pathan army in the fifteenth century with the help of Rai kacham and Rai kachog.[82] This martial background of the Riangs influecned their social customs to a great extent.

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81. Hunter, W. W. : *A Statistical Account of Bengal*, Vol. VI, Delhi, 1973, p.505.
82. *Ibid*, p.506

CHAPTER-III

THE RIANG SOCIAL STRUCTURE AND ADMINISTRATIVE AUTHORITY (KOTOR DAFA)

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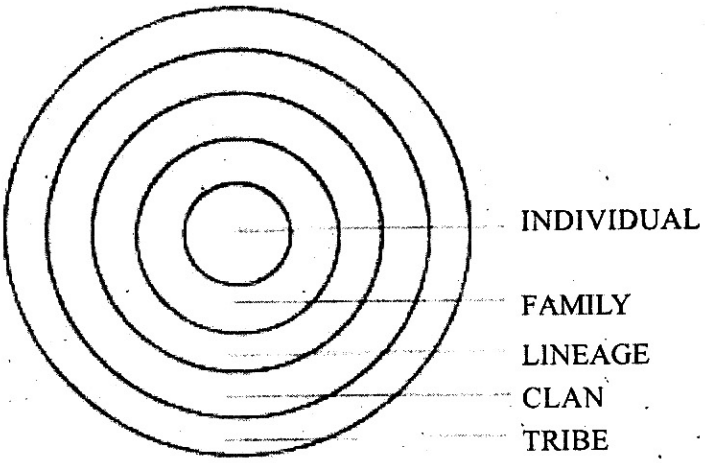
The social structure of the Riang is basically organic, expanding in its phenomental process of growth from the individual, which constitutes the nucleus of the family pattern, on mutual relationship of interdependence, to the tribe. The Riang social structure consists of five strata : Individual -- families -- lineages -- clan and the tribe i.e. individual forming families, families forming lineages, lineages forming clans and clans forming the tribe. The social stucture of the Riangs may be illustrated by the following pattern :



We shall now analyse Riang families, lineage and clan successivly so as to find out Riang customary laws and practices relating to family lineage and clan in particular.

A. FAMILY (NOUKHUNG)

Family has been accredited as the most ancient and the most organised form of social unit which hold human civilisation to its integrated and homogeneous pattern. Lewis Henry Morgan has observed that origin and growth of the family are embodied in the system of consanguinity and affinity, and in usages relating to

marraiage, by means of which, collectively, the family can be definitely traced through several successive forms.[1]

The first organised form of society was the consanguine family which was necessarily an improvement upon the previous unorganised state, whatever that state may have been. "It found mankind at the bottom of the scale from which, as a starting point, and the lowest known, we may take up the history of human progress, and trace it through the growth of domestic institutions inventions ad discoveries from savagery to civilisation."[2] The inherent spirit and constituents of the Riang family pattern is analogous with that of the other tribal and non-tribal patterns.

The family, to the Riang community, is of paramount importance. Of all the Riang social units, family is the closest one. Family, called *Noukhung* is real working unit for all socio-economic activities. It is exogamous and patriarchal.[3] The fundamental form of Riang residential kin group was the joint family based on the rules of patrilocal residence and marriage between the children of two male siblings.

A Riang family usually comprises a man, his wife, unmarried children, married sons and their wives and children occupying a large plank dwelling. During field survey, it is observed by the present researcher that in some families married brothers with their wives and children live together and in few families, there reside the parents with their daughters and son-in-law. On the other hand, nuclear family or simple family consists of the parents and their unmarried children. It is the common opinion of most of the Riang elites that nuclear families are the result of the subsequesnt fragmentation of joint families due to socio-economic reasons.[4]

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1. Morgan, Lewis Henry : *Ancient Society*, first published in 1877, Indian edition 1982, Calcutta, New Delhi. p.5.
2. *Ibid.* p.427.
3. Gan Chaudhury. J. *op. cit.* p.42.
4. Interview with Bajuban Riang and Gitya Kumar Riang held on 07.10.92 and 10.11.92 respectively. *op.cit.*

A.I FAMILY COMPOSITION

The composition of most of the present day Riang family is nuclear consisting of the husband, the wife and their unmarried sons and daughters. Nuclear Riang family also occasionally accommodates the married sons and daughters along with their consorts. Such a big family is treated as a single unit for all mundane affairs.[5] This arrangement may be temporary or permanent. According to their customary practices, the grown up sons and daughters leave the parental house after their marriage. After marriage, married son constructs a separate house. It is not necessary to the construct a separate house before the marriage or immediatey after the marriage. He or she may stay at his/her parental house so long as he/she desires.[6]

The Riang familes are not uniform in size, structure and type. The following table worked out of field survey, carried during July, 1993 to this regard by this researcher among the Riangs of Jogendra Riang para of East Betchara Gaon Sabha under Kailashahar Sub-Division of North Tripura District. This Riang village came into existence after the Riang unrest of 1943 and named after Jogendra Riang, the Chaudhury (sardar) of the locality. Prior to it, this area was a dense jungle. The table substantiates our hypothesis.

TABLE NO. 7

SIZE, STRUCTURE AND TYPE OF RIANG FAMILIES OF JOGENDRA RIANG PARA OF NORTH TRIPURA

Sl. No.	Size	No. of Members	No. of families	Percentage
1	2	3	4	5
(1)	Very small	3 or less	9	25%
(2)	Small	4 to 6	19	42.8%
(3)	Medium	7 to 9	7	19.4%
(4)	Large	10 to 12	-	-
(5)	Very large	13 or more	1	2.8%

5. Gan Chaudhury. J. *op. cit.*
6. Interview with Nilchandra Riang, Present *Chaudhury* of Jogendra Riang para of East Betchara under Fatikroy Police Station of North Tripura, held on North Tripura, held on 8th July, 1993 at Jogendra Riang para.

A.III. POWER AND POSITION OF THE FATHER

The Riang families are strictly patriarchal. In joint families the father being the eldest-male member, is the authoritarian head. As head of the family, he possesses all the authorities in the family. His responsibility is to ensure co-operation among the members of the family, to distribute the work, to maintain relation with agnates and other kin. He is the custodian of the family tradition. He is obeyed and respected for his age and position. This authority does not wax or wane in his old age. All the members of the family are bound to follow his directions and they must seek advice from him[8]. The father as head of the family performs all rituals and propitiates the deities during the festivals or any other ceremony. He is the manager of the entire family. He is responsible for the maintenance of the whole family. All earnings by the individual members of the family accrue to the common fund under the control of the father i.e. the head of the family.[9] After death of the father the eldest son, if grown major, takes over the responsibility to maintain the whole family including his widowed mother. If the son is minor then the *Sandai* takes over this responsibility till he attains maturity.

The father, in a Riang family holds the pivotal power and position and the law of succession after the death of the father, follows the law of primogeniture as customary. It transpires that father is a symbol of ideolised divinity whose order is law. He is feared for his sternness and respected more than any other relative for his care, affection and anxiety. For the unique position that a father has among his children, the Riang normally distingush the father from his brothers not only in the kinship terminology but also in the way one has to deal with him.

A.IV. STATUS OF WIFE IN THE RIANG FAMILY

Generally the father being the head of the family exercises his power in consultation with his wife. A wife helps her husband in the

8. Interview with Maniram Riang, 65 year old of Jogendra Riang para. He is the head of his family. Interview held on 8th July, 1993 at Jogendra Riang para.
9. *Loc. cit.*

discharge of his duties especially in the house-hold affairs. The wife is always consulted in all matters relating to the family affairs. But the husband's decision in any matter is final and binding. Of course, in some cases the eldest son takes part in such matters.[10]

Women after marriage become solely dependent on the husband in all respects. Both the husband and the wife, of course, jointly share responsibility in all matters relating to the family affairs including agricultural operations in the field. The relation between husband and wife is not based on sex only but on the feeling of mutual dependence, responsibility, love and trust. A woman cares for the husband, who too acknowledges her status and role. Her position in the family is in no way inferior to him, yet she cares to consult her husband. She has freedom in the family still she does not venture to do anything without the knowledge of the husband.[11] Responsibility to educate the children lies with the parents. Father educates sons and mother educates daughters.

A.V. DIVISION OF LABOUR

Like all other and non-tribal societies division of labour also exists in the Riang society. Economic dependence in the family ensures understanding and co-operation and envisages division of labour among its members.

A.V.1. DUTIES AND RESPONSIBILITIES OF WOMEN

Women contribute their quota to strengthen the family economy by their share of work in collecting fuel, bringing water, weeding in the fields, cooking in the house, husking paddy, extracting oil from seasame, weaving clothes and rearing up the children of the family. In addition to all these works, the women folk are to give company to the male members in a fair share of labour in agricultural fields and also allied matters.[12] The mother enjoys a high position in the family and in respect of all the house hold affairs which are overwhelmingly controlled by her.

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10. Interview with Mahanti Riang, wife of Maniram Riang, 63 years old of Jogendra Riang para. Interview held on 8th July, 1993 at Jogendra Riang para.
11. Mukherjee. B. *op. cit.* p.11
12. Interview with Maniram Riang. *op. cit.*

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12. Interview with Maniram Riang. *op. cit.*

A.V.2 DUTIES AND RESPOSIBILITIES OF MEN.

The chief concerns of man who continue to stay in their natal homes, are permanent plough cultivation, reclamation of forest land for shifting cultivation, construction of hut and performance of household rituals. The male members of the family are responsible for building their houses. The alone are responsible for carrying bamboos, wooden posts for construction of their thouses and for fencing the boundaries of their land and homestead plot etc. The male members of the family are also to help the women folk whenever necessary.[13]

A.V.3 DUTIES AND RESPONSIBILITIES OF UNMARRIED GIRLS

All the growing and grown up girls of the family in the Riang society give assistance to their mother in all respects in the domestic affairs. Those who are unable to help their mother particularly in the laborious work, carry their baby brothers and sisters on their back or play with them. They also look after their baby brothers and sisters when their mother is away from the house. They also fetch water from the nearest stream. The little children also look after the house and perform such duties as feeding pigs and poultry, tethering the domestic animals etc. during the absence of their parents, particularly when the parents are away from the house for the agricultural operations.

According to Riang customary practice, daughter has to learn the procedure and technique of all works assigned to her before the age of ten, and before she is fourteen, she must learn the preparation of liquor and the art of weaving.[14]

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13. Interview with Chandra Singh Riang, 60 years old of Jogendra Riang para. He is the head of the joint family consisting of nine members. Interview held on 10th July, 1993 at Jogendra Riang para.

14. Interview with Nityarung Riang, 27 years old of Sadhûchandra Riang Chaudhury para under Fatikroy P. S. of North Tripura. She is the unmarried daughter of Chandra Sing Riang. Interview held on 7th October, 1993 at Sadhu Chandra Riang Chaudhury para.
(In every Riang family, the making of liquor is an age-old practice as without liquor no social festival is complete.)

A.V.4. DUTIES AND RESPONSIBILITIES OF BOYS

According to Riang customary practice, the primary concern of the boys is to graze cattle, to plough and sow, to make comb (*betra*) and small buskets (*Kaisni*) for sowing and variants of it for other purposes. It is the customary law of the Riangs that the son-in-law while living in the house of the father-in-law after marriage has to make one comb in the first instance for his wife and his knowledge of making buskets convinces the members of his in-law's house of his ability to earn livlihood.[15]

Before the age of twelve, the Riang boys, in fact, should learn almost all the works and particularly the construction of hut, ploughing and sowing and harvesting at thirteen.[16] Since main concern of the male is performance of rituals and so partial ritual training, particularly in household rituals, is imparted by father to sons. But this training is not completed until a man performs rituals for his own children during his stay for three years in the house of his wife after marriage.[17]

A.VI. STATUS AND POSITION OF WIDOW

Like other tribes of North Eastern Region, according to Riang customary practice, a widow is shown the same respect and given the same status in the family as the head before the death of her husband. The widow lives as a member of the family of her deceased husband until her remarriage and she can remarry after one year of her deceased husband's death. On the other hand, a widow is entitled to a very small share of her deceased husband's property,

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15. Mukherjee. B. *op. cit.* p.12
16. Interview with Khambar Riang of 31 years old, Sadhu Chandra Riang Chaudhury para. He is the son of Surendra Riang who is the Chaudhury of he village. Interview held on 8th October, 1993 at Sadhu Chandra Riang Chaudhury para.
17. *Loc. cit.*

provided she continues to live in her husband's family under the care of Sandai [18] and does not remarry.

It seems that a widow in a Riang family enjoys as much freedom as is available in other advanced tribal as well as non-tribal family units.

A.VII. ORPHAN AND ILLEGITIMATE CHILD

Now-a-days in a Riang family orphans are looked after by the close relatives and they are treated at par with the other children of the family. There is no difference in the status of an orphan child in the family. Illegimate child is looked after by the mother. It is claimed by some spokesman of the Riang customary laws and practices that illegitimate children enjoy the same status and position with the other children in the family.[19]

However, W. W. Hunter has observed "an illegitimate birth is hardly known among them for the simple reason that should a girl become enceinte, her lover has to marry her".[20]

A.VIII. INTERPERSONAL RELATIONSHIP WITHIN AND OUTSIDE FAMILY

The relationships that bind the members of the Riang families are :

i. Husband ... wife
ii. Parent ... child
iii. Father's borther ... nephew
iv. Brother ... brother
v. Step parent ... step child

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18. *Sandai* ... . The *sandai* are the persons of the father's agnatic lineage group comprising primarly two ascending and two descending generations from ego (male). It also includes a part from the lineal relatives, the relatives, the collaterals. It is explained in the native expressions as *Butha tha ham. Erungtungha Bududu Maphaim* (they are of same blood and same tree). A man's father's father and his brothers and their children, his father and father's brothers and their children, his brother, his own and brothers children and their grand-children are all Sandai (Mukherjee. B. *op. cit.* pp.18-19)
This *Sandai* tradition is no longer in force and discontinued during 1940's (interview with Bajuban Riang held on 17.10.1992. *op. cit.*)
19. Interview with Bajuban Riang on 17.10.1992. *op. cit.*
20. W. W. Hunter, *Statistical Account of Bengal*, Delhi, 1973. p.484

vi. Grand parent-in-law ... grand son-in-law
vii. Father-in-law ... son-in-law
viii. Mother-in-law ... daughter-in-law
ix. Wife's brother ... sister's husband
x. Father's sister's husband ... wife's brother's son, and
xi. Son's wife's parent ... daughter's husband's parents

The relationship between husband and wife is primarily based on the notion of economic co-operation and sexual gratification.[21] It is the responsibility of the husband to support not only his children but also his wife. Interpersonal relationship between husband and wife is deepened with the birth of child. The children being the objects of common interest both husband and wife try to adjust as far as possible, work jointly and decide matters effecting family, the land, the education, health and marriage of children.

Relation between parents and children are also very intimate and one of mutual love, affection and interdependence. Grand parents are respected but are not feared. The relation between grand parents and grand children is of mared familiarity. Generally the relation between parents-in-law and son-in-law is built upon the work. But the relation between the mother-in-law and her daughter-in-law sometimes becomes estranged due to the mal-treatment of the former or disobedience of the latter. The relation between mother-in-law and son-in-law does not become estranged. But during the period of stay of the son-in-law in the house of the wife, the mother-in-law would occasionally intervene the affairs of the son-in-law.[22] The relationship outside the ambit of the family particularly with the mother's and father's sister and mother's brother, become attenuated unless affinal relationship resulted from cross cousine marriage animates the primary relation.[23]

A.IX RULES OF AVOIDANCE AND FAMILIARITY WITH REGARD TO RELATIVES

The rules of avoidance with regard to relatives termed *boai* and

21. Mukherjee. B. *op. cit.* p.26
22. Interview with Khamber Riang on 8th October, 1993. *op. cit.*
23. Interview with Gitya Kumar Riang on 10.11.1992, *op. cit.*

waiyorao are strictly observed. Younger sister's husband of a women, wife's elder brother and husband's elder brother are the men classified as *boai* and they are strictly avoided. Wife's elder sister, husband's elder sister and younger brother's wife are the women classified as *waiyorao* and they are also avoided.[24] Wife's elder brother and wife's elder sister are respected by a man and he must avoid younger brother's wife scrupulously.

It is the customary law of the Riangs that a man can not marry his wife's elder sister and the widow of the younger brother. Further, if a man touches the younger brother's wife, he will be fined by the council. This taboo is however, lifted only during *Sangmaimi* ritual when every body is free to drink and dance. On this occasion a man can touch or hold his younger brother's wife after blackening his palms by charcoal dust (*Tusmi*).

On the other hand, a woman can drink and dance before her husband's elder brother but she has to respect him. A woman can not be too familiar with younger sister's husband as the latter has to respect the former. Similarly a woman can not be familiar with her husband's elder sister who has to be respected.[25]

Contrarily, much familiarity and jocking are permitted with persons who are classified as *prawruha* and *prawrueogma* (prow-joke). Like other tribal and non-tribal families, wife's younger brother and sister and husband's younger brother's wife stand in a jocking relationship of general kind. The present researcher has found a lot of such amusing customary practices in the Riang society at the time of field survey.

A.X. CHANCE-OVER OF JOINT FAMILY SYSTEM

The joint family system of the Riang is under going changes. This change-over is consequent upon three factors :

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24. Interview with Asamonjoy Riang, 43 years old of Tuisama under Kanchanpur Police Station of North Tripura held on 14.08.1993 at Kailashahar. Shri Riang is at present working as Sub-Inspector of Police, Special Branch, now posted at Kailashahar.
25. *Loc. cit.*

i. Increase in the size of the family
ii. Quarrel among the brothers and
iii. Dispersal of familial kin owing to non-availability of cultivable land.[26]

i. With the increase in the size of the family, sometimes a house fails to accommodate all the members of the joint family. As a result, married couples are forced by material circumstances to shift in separate huts but continue to derive their principal income from land which is held in common cultivating possession. The new families have their own establishment in their new houses and any income derived from other sources does not go to the joint family.

ii. Sometimes family feuds among the brothers force further fragmentation of the joint family. In that case the quarrelling brothers are driven to establish independent family units. But they continue to share the produces of common land.

iii. The major factor that has weakened the family bond is the dispersal of familial kin to distant areas due to shortage of land of plough cultivation. A considerable portion of forests in Tripura have been transformed into permanent land for plough cultivation. Due to disproportionate distribution of the land some Riang families had migrated to North Tripura.[27] This migration caused a permanent severance among the members of joint family.

The other factors which stood in the way of familial integration are:
i. High incidence of divorce, and
ii. Irregular contact with local people.

In the year 1954-55 Bhabananda Mukherjee carried on an investigation upon 132 Riang families scattered in sixteen hamlets at East Bagapha under Belonia Sub-Division [Map of Bagapha (map no.-4) appended]. He observed that of the total cases of divorce, 62.06%

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26. Mukherjee. B. *op. cit.* p.13
27. Sailo. S. *"The growth of tribal population in Tripura as revealed in 1991 cencus ... turning point."* Tui, A quarterly Research Journal on tribal life and culture, June-August 1993. Vol. II

had been effected due to the custom Chamaroitoumi.[28] and only 37.93% due to other causes.[29] During field survey in North Tripura and South Tripura districts, it is observed by the present researcher that high incidence of divorce still prove contrary to the accretion of familial integration.

Regarding the other factors, it is observed that irregular contact with the non-tribal, Muslim labourers and Christiran tribals gave rise to disruptive tendencies encouraging marriage with non-Riangs, Polygamy, adultery and disregard for household rituals.

The fourfold functional principles of the Riang family have suffered owing to increasing contact with alien culture and acquisition of new economic motivation for wealth. The sphere of kinship obligation and reciprocity is being circumscribed.

B. ADOPTION (BISAKROIMI)

Adoption is a recognized institution among the Riangs. In the Riang dialect it is known as *bisakroimi*. It is of rare occurence. In the past, adoption among the Riangs was limited to their own community. But now-a-days Riang customary law permits inter-tribal adoption i.e. an adopting parent can adopt a child from any other tribal community. Now the Riang society even tolerate non-tribal adoption i.e. a non-tribal child may also be adopted, Chaitrahum Riang (65) of Challagang under Amarpur Sub-Division have no child of his own and he adopted a Bengalee girl in 1960s.[30] Chaitraham's case is illustrative of the changed attitude of the Riangs towards adoption.

The adopted son loses all socio-ceremonial ties with his parents and own kin owing to his assimilation to the kinship structure of the

28. *Chamaraikami*
After the performance of the marriage ceremony the bridegroom had to live in the bride's parental house for a period of three or four years to serve there for the benefit of the bride's parental household. This custom is called *Chamaroikami* and it was a popular custom in the olden days.
29. Mukherjee. B. *op. cit.* p.14
30. Interview with Bajuban Riang held on 10.11.1992. *op. cit.*

man who adopts him.[31] According to Riang customary law adoption is permitted if there is no child in the family. If a Riang couple having no issue to look after them during their old days and to inherit their possessions and if they prefer to have an adopted child, they may do so.

But during field survey, it is observed by the present researcher that one Muktadhan Riang of Laxmicharra, Belonia adopted Barnarai Riang, a Noatia boy of 12 year old in the 1954-60 although the family had four daughters and one son.[32] Obviously, this is a departure from the age-old customary practice.

A child adopted for the purpose of inheritance supports the adoptive parents during their old-age and performs the funeral rites after their death, if the adoptive parents have no male child. In the same manner, a girl may also be adopted for the purpose other than inheritance.[33] A child, who loses his parents before reaching adulthood may be adopted by any of his agnates or any body who ensures his safe upbringing.[34]

According to customary law, a boy to be adopted, preferbly should come from Sandai group, failing which from the clan of the man, falling there too, from any other clan. A boy, once adopted, takes the clan name of the adopted parents. If the boy happens to belong to the clan of the adopting parents, no ritual performance is necessary.[35]

For adoption of a child express consent of both the parents in necessary. In case a child is desired to be adopted, consent of both

31. Interview with Ramadhar Riang, 38 years old of Manpathar of Birchandra Manu under Belonia Police Station, South Tripura. Shri Riang is at present working as Upper Division Clerk in the office of the District & Sessions Judge. North Tripura, Kailashahar. Interview held on 30.09.1992 at Kailashahar.
32. *Loc. cit.*
33. *Loc. cit.*
34. Interview with Dastaram Riang, 27 years old of Jogendra Chaudhury para under Fatikroy Police Station of North Tripura. Shri Riang is at present working as Moharar (equivalent to L. D. Clerk) at Kailashahar. Interview held on 08.07.1993 at Jogendra Chaudhury para.
35. Mukherjee. B. *op. cit.* p.12

the husband and wife is necessary. Moreover, prior consent of the parents of the child to be adopted, must be obtained.[36]

In absence of the parents of the child to be adopted, the legal guardian of the child accords consent for adoption subject to the approval of the *Sandai*, [37] or the *hokchu*.[38] A guardian can not allow adoption of a child without prior approval of the *Sandai*. Even adopting parents, too, have to wait for the approval of the *Sandai*. Both a widow and widower can adopt either a boy or a girl. A deaf and dumb, too, can be adopted by a couple having no child or by a spouse having a child.

In the days when the Riang society entirely depended on the jhum economy then it was the custom prevalent in the society that on the day of formal adoption, the Panjihami ceremony with worship of a female deity *Soungrungma* used to be performed by the adopting parents. The adopting parents used to invite one or two elderly members, each from twelve dafas or the panji and pay Rs. 7/- to each of the twelve dafas as a token of respect shown to them for getting their approval to the adoption. In case a representative of any of the dafas fail to attend the panjihami ceremony, an amount of Re. 1/- had to be sent to him.[39] The adopting parents would arrange a feast for invitees by killing a big pig so as to commemorate the adoption. The representatives then returned to their respective home after blessing adopting parents as well as the adopted son. But now-a-days the Punjihami ceremony is almost discontinued.

An adopted child enjoys the same rights and privileges as a child born of lawful wedlock. But this enjoyment of rights is subject to all

36. Interview with Ramadhar Riang held on 30.09.1992. *op. cit.*
37. *Loc. cit.*
38. *Hokchu* ... *Hokchu* broadly refers to affines only. It is explained in the native expressions as *'hokchuthaha Kailaimi'* (those who could be married). The concept of *hokchu* includes some of the relatives on the father's side and most of the relatives on the mother's side who are affinal kin in the general sense. The relatives under *hokchu* have been classified on the general basis of ego's (male's) wife, wife, his mother (amo) and mother's mother (achoi) Mukherjee. B. *op. cit.* pp.18-20).
39. Interview with Bajuban Riang held on 07.10.1992. *op. cit.*

liabilities and duties enjoined by the *Panji* to which te adoptive parents belong. The adopted son abides by all the rules and regulations of the adoptive family.

Payment of money or any other property in consideration of adoption is not compulsory. The adopted child must live with the adoptive parents so long as the adoptive parents are alive and at the same time he must obey the parents.

Adoption of any boy or a girl to any clan through the performance of *Panjihami* and worship of *Soungrungma*, shows the flexibility of family and kinship structure. However, all these customary laws, rituals related to adoption, have gone out of practice, possibly being influenced by the changing forces of the modern socio-economic culture.

C. FOSTERING (BSA RIMI/PALAWMI)

Fostering is a recognised institution in the Riang society though it is rare among them in modern times. Generally arrangements are made for suckling and upbringing of a child by another woman who is capable of doing so, if the mother of the child dies or unable to suckle her baby. Also in case of any infection desease of the mother, the child is given over to a foster mother or wet-nurse.[40]

It is the customary practice prevalent in the Riang society that the foster mother or wet-nurse may be selected even from outside their clan, if none is available in the extended family (clan/dafa). Also it is the custom that in case of necessity the foster mother or wet-nurse is selected from the family of the child as first preference failing which from the clan of the child, failing there too, from the tribe as a whole in order of preference.[41] For the purpose of fostering there is no social or occupational restrictions or conditions under which individual woman or classes of women are permitted to suckle the child.

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40. Interview with Ramadhar Riang held on 30.09.1992. *op. cit.*
41. *Loc. cit.*

If the foster parents happen to be the relatives of the foster child or belong to the same group, in that case the family members of the foster child can take back the child when fostering is no longer necessary. But the parents of the foster child before taking back the child must pay Rs. 5/- to the foster parents being the token cost of fostering.[42] The parents of the foster child may, however give some articles such as paddy, pig etc. to the foster parents as token of gratitude. If the parents of the foster child are not alive, in that case the foster parents can keep the foster child in their house as an adopted one.

There is no hard and fast rule as to how and to what extent the foster parents are to remain socially and economically responsible for the foster child. The child may in his discretion continue to remain with the foster parents or may return to his own parents after the period of fostering. Normally there is no conflict of superiority or inferiority among the foster parents and the parents of the foster child. The foster child can not inherit or succeed to its foster parents in respect of properties, if he comes back to his parents house. On the other hand, a foster child may, if recognised as an adopted son, enjoy all the rights and privileges as a child born of lawful wedlock.

Customary practices in respect of fostering the child in the Riang society appears to be very flexible and also very liberal. Such an attiude towards this custom was held, perhaps because the protection of the life of the foster child appeared to be of first concern.

D. LINEAGE

In between family and clan there is another division that is lineage which is an extension of the family unit. The Riangs call it *sandai*. The concept of *sandai* which was the very basis of Riang kinship structure envisaged the formation of lineage group. The *sandai* bond was a great force in upholding the family solidarity. *Sandai* is homogeneous in its basic structure, with the increase in

42. Interview with Asamonjoy Riang held on 14.08.1993. *op. cit.*

numbers of members within the *sundai* and their dispersion, intensity of the *sandai* bond has been lessened.

E. RIANG CLAN STRUCTURE (PANJIHARO)

A Riang clan is consanguineal kin group based on the role of patrilineal descent. It is characterised as *Panji*. The clan structure called *panjiharo*, seemingly assumes the form of bisection of the community having two segments of *Molsoi* and *Meska* clans and from each of them the other sub-clans (*haro or huda*) developed.[43] Bhabananda Mukherjee divided these two major clans into the following sub-clans or groups :

MOLSOI	MESKA
(1) Dalbong	*(1) Rai Kachak*
(2) Sagarai	*(2) Charkhi*
(3) Nowkham	*(3) Musa*
(4) Apeta	*(4) Tuimuiafa*
(5) Changpreng	*(5) Wairen*
(6) Yakstam	*(6) Tamyakcha*

On the other hand, a different clan structure is found in the census report of 1901 A. D. (1310 T. D.)[44] which is as follows.

MESKA	MOLSOI
(1) Meska	*(1) Molsoi*
(2) Musa	*(2) Apeta*
(3) Charkhi	*(3) Nowkham*
(4) Rai Kachak	*(4) Changpreng*
(5) Wairem	*(5) Yakstam*
(6) Tamyakcha	*(6) Riang Kachak*
(7) Tuimuiafa	*(7) Riang Kachak*

In the census report of 1931 A. D., it is mentioned that the Riangs are divided into two major clans or groups such as *Meska* or *Mechka*

43. Mukherjee. B. *op. cit.* pp. 14-15
44. Chaudhury, Asit Chandra. *Census Report* (Bengali) 1310 T. D. (1901 A. D.) first publication 1315 T. D. reprinted in 1995, Agartala. p.28.

and *Morchai* or *Molsai*.[45] There is no mention of other sub-clan in the census report of 1931. But our observation does not tally with that of either Mukherjee or Census report of 1931. In our survey no such clan division of the type of moiety has been found in the present day Riang society.

During field survey it has been observed that the endogamous tribal unit of the Riangs is divided into several clans which are now-a-days prevalent in the Riang community. The names of the clans are : *Apeta, Changpreng, Charkhi, Molsoi, Meska, musa, Nowkham, Wairem, Rai Kachak, Tamyakcha, Tuimuiafa & Yakstam*. It may be noted here that Mukherjee mentioned about two more clans, namely *Dalbong* and *Sagarai*. But the Riangs of Tripura do not admit the existence of these clans or sub-clans.

Distinguished scholars like T. H. Lewin, [46] H. H. Risely [47] and R. H. S. Hutchison [48] preferred identify the Riang community as a clan and not as a tribe. But it has been perceived during the survey that the social structure of the Riangs is larger compared to that of a clan and they have all the features of a tribe.[49]

Though the census report of 1901 [50] and the Bulletin of the department of Anthropology on *The Riang* [51] by Mukherjee, published in 1970 have stated the clan names along with their meanings, the present researcher during his survey has found to his astonishment that the present day Riangs have very little idea about the history of their clan, not to speak about the meanings of those clan names. However, the elderly members of the Riang community whose knowledge of the history of their community is also very meagre, can

45. Debbarma, Somen Chandra, *Census Biharani* (in Bengali) 1340 T. D. (1931 A. D.) Agartala. p.72.
46. Lewin. T. H. *op. cit.* p.79.
47. Risley. H. H., *Tribes and Castes of Bengal*, Vol. II, Calcutta, 1891 (1902). p.324
48. Hutchinson. R. H. S. *Eastern Bengal and Assam District Gazetteers* (Chittagong Hill Tracts), Allahabad, 1909. p.36.
49. Gan Chaudhury. J. *op. cit.* p:39
50. Chaudhury, Asit Chandra : *op. cit.* p.28
51. Mukherjee, B. *op. cit.* p.16-17.

interpret the meanings of those clan names only with difficulty. Obviously, the present day reality does not approve the existence of the findings of either Mukherjee or census report of 1901. Thus the obscurity of the clan names has been made conspiceous by this historical gap.

Now let us have a look at the meaning of those clan names collected through various sources, published and unpublished:

Apeta: The word *Apeta* means fish. While crossing the river Karnaphuli, a Riang woman fell into the river and drank plenty of water. Consequenty her abdomen swelled like that of a fish. When she was taken ashore, she gave birth to a child whose descendants are known as *Apeta*. This clan is expert in magic and spells. One Taithila Chaudhury who is said to be a distinguished person of the Riang community, belonged to this clan.[52]

Changpreng : The word *changpreng* means musical instrument which resembles modern guitar. This clan has some association with *Changpreng* of a Riang couple. Members of this clan are said to be well versed in instrumental music.[53]

Charkhi : The word Charkhi means spinning wheel. Clansmen of Charkhi are supposed to be expert in spinning.[54]

Molsoi : This clan is not a pure Riang clan. It is said that an illicit relation between a Riang male and a *Mog* (a tribal group whom the Riang avoid) woman lies behind the origin of this clan..[55]

Meska : This clan is an old and big clan. *Meska* means lemon tree. It is said that the first habitat of this clan abounded in lemon tree. Distinguished Riang persons namely Bhagirath Chaudhury and Chatrai Chaudhury belonged to this clan.[56]

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52. Chaudhury, Asit Chandra, *op. cit.*, p-29
53. Gan Chuadhury, J. *op.cit.* p.39
54. Mukherjee, B. *op.cit.* p-17
55. *Ibid.* pp.16-17
56. Chaudhury, Asit Chandra. *op. cit.* p-28

Musa : The word *Musa* means tiger. Thaibuha, the great legendary hero of the Riangs is considered as ancestor of this clan. The ancestor while still a baby was left in the forest by his mother and he was brought up by a tigress (*Musa-ma*) in the forest.[57]

Nowkham : It means burnt house. An ancestor while on a visit to the court of the king of Tripura, was careless and burnt the kitchen while cooking.[58]

Wairem : The word *Wairem* means ear ornament. This clan is said to have originated from the association of *wairem* which was a source of constant quarrel of a Riang couple. One peculiarity of this clan is that it has a comparatively large number of mads.[59]

Rai-Kchak : This clan is said to be of kuki origin. It is the clan, named after a soldier of the past.[60] Clansmen of this clan are experts in baskestry and cane (rai) work.

Tamyakcha : The word Tamyakcha has some association with a bird (tam) which was on a tree. An ancestor wanted to have it and climbed upon the tree but he broke his leg by putting it in a hole (*drone*).[61]

Tuimuiafa : It has got some associable link with tortoise. It is said that complexsion of the ancestor of this clan was just like the colour of tortoise chest as he was suffering from leukoderma.[62]

Yakstam : It means an ornament used in hand. The members of this clan are said to have fascination for using that ornament.[63] This clan is now extinct.

The meanings and legendary history of nomenclature of the various clans of the Riang community have got no historical basis. How-

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57. Interview with Gitya Kumar Riang held on 10.11.92. *op.cit.*
58. Gan Chuadhury. J. *op.cit.* p-40
59. *Loc. cit.*
60. *Loc. cit.*
61. Mukherjee, B. *op. cit.*, p-16
62. Chaudhury, Asit Chandra, *op.cit.* p-29
63. Gan Chaudhury. J. *op. cit.* p-40

ever, it is evident that many of the clans have developed out of some associable situations. Though certain clan names like *Apeta, Changpreng, Musa* etc. apparently show connection with fish, musical instrument and tiger respectively but the Riangs of Tripura altogether rule out the possibility of any totemic relation with these objects. The reason behind such nomenclature might be that the *Apeta* clan once excelled in fishing, *Changpreng* clan was expert in musical instruments and any member of the *Musa* clan might have once killed a tiger and so on. It is thus evident that none of the clans is totemic in origin. Also the Riangs do not worship any special totemic god or ancestor and none of the clans have any distinctive connection with the deities they worship.

Riang population had increased in course of centuries from the time of *Kaskau*. The development of the internal structure of the society followed by stages. During field survey no specialised craft guild is found among the Riangs. We have no reasons to postulate that these are functional groups. So the alternative is to attribute the cause of historical accident of the subsequent development of the Riang clan structure. It is also evident that this clan system does not regulate marriage, modes of ownership and chieftainship. Further, priestly offices were vested in any one of them and each of them, apart from the observance of communal ritual for the welfare of its clansmen, has economic and ceremonial obligations.

Obviously, in view of the operation of the two rules of exogamy and endogamy concurrently and of marriage with parallel and cross cousins and between persons of different generations, apparent form of the duel organisations of the clan structure can not be justified. It is claimed by some knowledgeable Riangs that this clan structure represents a conceptual grouping of consanguineal population into two distinct units ... *Molsoi* and *Meska* which were fully represented to the council of Riang Chief who was said to be selected once from *Molsoi* and once from *Meska* clans. But the chronology of succession of the chiefs does not confirm this.

It may be concluded that the Riang clans had political function than the convention of certain social usuages which each clan had

to fulfil. The development of the clan structure followed multilineally in the background of two kinship concepts ... *Sandai* and *Hokchi* which operated within each clan as two kin groups.

F. ADMINISTRATIVE AUTHORITY (KOTOR DAFA)

Not many year ago, most of the tribes of Tripura had their respective social and administrative organization consisting of two or more tires, the village organization being the basis of the entire super-structure. The age-old structure has crumbled down in the face of the onslaught of the so-called modernization of administrative authority of the Government. The remnants of the tribal traditional administrative authority are, however, found even today. In the earlier days the tribes continues to have their traditional freedom based on the principle of local self-government subject to the suzerainty of the king. A veritable link between the king and the tribes was provided by the tribal chief. Those traditional tribal self-government institutions differed from tribe to tribe.

Today, the Riangs of Tripura have become almost oblivious of their traditional system of administration. Their awareness to the native system has almost been replaced by their involvements in wider fields of politics of the modern times. Now-a-days, they are more concerned with reginal, communal, national or international issues, than those of their own community.

This was not the state of affairs during the princely days. The Riangs had institution of self-governance and their traditional administrative pattern were mainly village based and confined to the community itself. They had the tradition of an organically linked three tier administrative set-up at the levels of the village, the clan and the tribe.

However, Mukherjee has stated that the traditional administrative set-up of the Riangs had four units of which first unit is at present non-existent.[64] Of the first two units, namely *Ata* consisted of the king Kaskau and his thirteen attendants and *Saya* consisted of the

64. Mukherjee, B. *op. cit.* p.38

chief *Rai* and his twelve officials who functioned as counsellors, messengers, storekeepers, rent collectors, drummers, flutists, general and so on and they were called *huddadars* (representatives of different clans).[65]

Mukherjee has also confirmed that *Chaudhury Sardars* for three administrative divisions ... Belonia, Udaipur and Amarpur, where the Riangs concentrated in the beginning of their migration, comprised the third unit which had executive and judicial function.[66] Chaudhury Sardars used to function through each *Holui Chaudhury* of each mouja (consisting of several hamlets) and Chaudhury (Sardar) of each hamlet. The fourth unit was council of elders of each hamlets and this unit is only functioning at present.

From the fragmentary information collected from different individuals, it is learnt that according to customary law any dispute should, by tradition, be first tried in the council of the hamlet, where the complainant had to institute the case on payment of fee (nalsi) of Rs. 1/= or a bottle of liquor. *Holui Chauchury* being the first appellate authority, could take up any case which was not satisfactorily settled in the council of hamlet and he could try a case again with other headmen of the neighbouring hamlets. Failing there too, the case could be heard by Chaudhury Sardar, being the second appellate authority. Any case was very seldom reffered to Rai.[67]

However, a different picture of the administrative set up of the Riangs is found in the census report of 1901. The administrative authority, called *kotor dafa*, consisted of twenty-six Riang Sardars or chiefs. But this administrative body of twenty-six members provided positions for only 19 office bearers. The heads of different clans contituted the apex administrative authority for the tribe as a whole with the Rai as the head. *Kotor dafa* represented all the clans of the Riang community, each clan having two representives who were selected by the respective village elders in consideration of their age, knowledge of the custom and their popularity.

65. *Loc. cit.*
66. *Loc. cit.*
67. *Ibid.* p-34

The Rai was assisted by *Kaskau* although both the dignataries had separate group of office bearers under their direct supervision and control. The following were the designations of two separate groups having nineteen office bearers in all.

A-Raj and his dignataries.[68]

1. *Rai* : King, the chief of the Riang community
2. *Chapia Khan* : Prime Minister
3. *Chapia* : Minister
4. *Darkalai* : Priest of Rai
5. *Dalai* : Bench clerk of Rai
6. *Bhandari* : Treasurer and store-keeper
7. *Kandal* : Bodyguard of Rai
8. *De-hazra* : Drummer
9. *Muria* : Flute player
10. *Duguria* : Band Master
11. *Daoa* : Messenger
12. *Chheng Krak* : Distributor of meat

B-Kaskau and his dignatataries[69]

13. *Kaskau* : Ujir, next to the Rai
14. *Yak sunga* : Chief Accountant
15. *Hazra* : Bodyguard of Kaskau
16. *Kangreng* : swordsman of Kaskau
17. *Karma* : Bodyguard of Yak sunga
18. *Kheng Kalen* : swordsman of yak sunga
19. *Kandal* : Collector of food materials

However, Ganchaudhury has associated different meaning for some of the designations.[70]

During field survery the present researcher tried to verify the correctness of meanings of the above words or designations by seeking answer from grass-root level. But even the aged Riang failed to give a correct interpretation. So the exact meaning of some of the above words or designations could not be ascertained. However, it is evident from our survery that elaborate system of traditional

68. Chaudhury, Asit Chandra. *op. cit.* p-30
69. *Ibid.* p-13
70. Gan Chaudhury. J. *op. cit.* pp.78-79

administrative institution is not in existence now-a-days. Only the remnants of such institution are traceable in the Riang hamlets.

It is the common belief of the Riangs that before their arrival in Tripura they had an autocratic king, named *Kaskau*. The community was under the sole administrative control of the *Kaskau* who was the supreme authority in all matters. The chieftainship was neither hereditary nor elective or selective. The person who was the strongest in all respets in the community established himself as the chief or headman under the self styled title of *Kaskau*. He commanded obedience of all by virtue of his own personal eminence. On the natural death of the ruling *Kaskau*, the vacancy could be filled up by a competent person in the community, who by virtue of his age, knowledge, ability and strength could accede to the chieftainship subduing other aspirants.[71]

According to customary law that was once prevalent in the Riang society, the Kaskau was entitled to moiety (half) of all things produced by the villagers who were allowed to rear the female animals/ birds. It was the prerogative of the Kaskau to rear the male animals/ birds. Only for the breeding purpose, the villagers could hire the male animals/birds from the *Kaskau*, who in turn was entitled to have all the male breeds and half of the female breeds. It was also the customary law of the Riang society that the *Kaskau* had the right to enjoy free service of the community in all matters e.g. building his house, cultivation of his field etc. and also the ultimate title to all the land vested in the Kaskau.[72]

It is evident that executive, legislative and judicial powers were vested in the Kaskau. He was an autocrat and could turn into a despot at any time and could continue in office until and unless

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71. Interview with Nidhiram Riang, 80 years old of Sonapur, Kambal tilla of Dasda, under Kanchanpur Police Station of Dhalai District. He is the present Chaudhury of Sonapur village. Interview held on 7th March, 1993 at Dasda. Interview with Jain Bahadur Riang, 58 years old of the same village. Interview held on 07.03.1993 at Dasda.
72. *Loc. cit.*

depposed through force by a stronger person. The last *Kaskau* turned so despotic that the Riangs revolted against him and approached the Maharaja of Tripura, Uday Manikya (1567-1572 A.D.),[73] whose capital was at Udaipur, for interference. Ulitmately interference of Uday Manikya resulted in the subjugation of the Riang area by the Maharaja of Tripura who thereafter started administering the areas and governing the Riangs through the agency of a chief selected by the king under the name and style of *Rai*.[74]

G. ADMINISTRATION OF JUSTICE (HOWLOI)

The age old administrative set-up of the Riang community is no longer in force. The only remnant of the old tradition i.e., council of the hamlet or village council is at present functioning. Now Riang families are scattered in hamlets named after the respective headman, called Chaudhury who is in charge of the administration of the hamlet which is a self administering unit. The Chaudhury runs the administration of his hamlet through the village council.

G.I COMPOSITION OF VILLAGE COUNCIL

The council of the hamlet or the village council is composed of the heads of the houses. The members of the council are selected by the people of the respective hamlet through discussions. Selection of the members of the council are restricted to the males. The system of election, adult franchise, secret ballot, political party etc. were never in practice in the Riang Society. The posts were neither hereditary nor elective. In seleting the office bearer, emphasis was laid on the qualities of head and heart.[75] The term of their office was only one year corresponding to the *jhum* cycle generally from January to December and if the office bearer were found faithful and dutiful, their term of office could be renewed.[76]

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73. Roy Chaudhury Nalini Ranjan, *op. cit.* p-34
74. Interview with Nidhiram Riang and Jain Bahadur Riang on 07.03.1993 *op. cit.*
75. Gan Chaudhury, J. *op. cit.* p.79
76. *Loc. cit.*

The post of Chaudhury, previously involved heavy responsibility and he was the mouth-piece of the village and he was responsible for administration of justice within his jurisdiction which was the hamlet and as such the Chaudhury or the headman commanded highest respect and position in the hamlet. But now-a-days, it is observed by the present reseacher that with the change of time *Chaudhuries* do not command such respect and position as before and obviously, his authority has warned.

G.II FUNCTION

The main function of the village council were settlement of disputes through trial of both civil and criminal cases, such as adultery (*Chongching*), forcible marriage (*toikailaimi*), molestation (*Yamkani*) of women etc. in criminal side and in civil side divorce, any disputes over the land of shifting cultivation etc. Besides, the village council used to function for distribution and festivals for peace and prosperity of community members, collection of government tax etc.

Normally the council was convened in case of any necessity and usually it sat in the evening at the courtyard of the *Chaudhury*. Minor offences were settled in the council but any serious crime used to be reffered to the chief. There was no formal code of law for deciding cases. Justice was quite visible, quick and cheap.

At present the traditional Riang village council is almost withered away leaving only faint remnants of the past. During the post Manikya days penetration of Government control and administration in the tribal areas of erstwhile princely Tripura, had helped the extinction partially or wholly of the tribal administrative organization in the different parts of the hilly region of Tripura. The *holui*, the *Kaskau*, the *Rai* have lost their relevance in the present day Riang society. The traditional Riang system of administration of Justie has become ineffective and in their place the statutory Gaon Panchayat, Naya Panchayat and other agencies of the ADC have taken place over the functions in the matter of administration of justice. Now-a-days,

only some minor civil and criminal cases are disposed of at the village level by the *Chaudhury* of the village with the assistance of the village elders. This changing scenario of Riang social frame work is particularly notable to understand the present Riang attitudes to their age-old customs and customary laws.

CHAPTER-IV

THE RIANG SOCIAL STRUCTURE AND ADMINISTRATIVE AUTHORITY (KOTOR DAFA)

CHAPTER-IV

CUSTOMARY LAWS AND PRACTICES OF MARRIAGE AND DIVORCE

The institution of marriage is one of the basic concepts that pivots the society in general and human civilisation in particular. To understand this institution properly it is neccessary not only to know what it is but also what it was. The question whether the intitution of marriage originates out of promiseuous sex relationship or out of family relationship was once subject matter of debate amongst the scholars, Mayne on *Hindu law and Usage*, in Article 70 affirms the view that sevetaketu (a legendary figure in the Mahabharat, Adiparba, chapter 122) put an end to promiscuous intercourse on the part of husbands and wives implying thereby that before the introduction of the institution of marriage, there prevail a state of promiscuity[1]. But contesting this view another school of anthropologists held that concept of family preceded the institution of marriage and this view stands endorsed by Engels in his *Origin of family*[2]. Regarding the evaluation of the institution of marriage Engels has observed that the study of the history of primitive society reveals the conditions in which men lived in polygamy and their wives simultaneously in polyandry and the children were regarded as being common to them all and in their turn, those conditions underwent a whole series of modifications until they were ultimately dissolved in monogamy which perodominates today.[3]

Before entering into the discussion on customary laws and practices of marriage as have been found to be generally prevalent amongst the Riangs of Tripura, let us now have a look at the statutory provisions on marriage so as to draw a comparative estimate regarding the force of customs among the Rinags and the legal provisions in force.

For a valid marriage the following essential conditions as provided under section 5 of the Hindu Marriage Act as ammended by

1. Saha, A. N. *Marriage and divorce*, fourth edition, Calcutta, 1987, p.1.
2. Ibid, p.2.
3. Engels, *The origin of the family, private property and the state*, Moscow, 1983, p.32.

the child Marriage Restraint (Ammendment) Act, 1978 are to be fulfilled, as follows :

i. Neither party has a spouse living at the time of the marriage.

ii. At the time of marriage both the parties are capable of giving a valid consent to the marriage.

iii. The bridegroom has completed the age of 21 years and the bride the age of 18 years at the time of the marriage.

iv. The parties are not within degrees of prohibited relationship, unless the custom or usage governing each of them permits of a marriage between the two.

v. The parties are not *Sapindas* of each other, unless the custom or usage governing each of them permits of a marriage between the two.[4]

The spirit of statutory provisions can be perceived maintained in the Riang-Customary Laws regarding marriage. The Riang marriage is known as *Kailai*. It is a social institution developed on biological necessity and economic considerations. The traditional marriage rites of Tipras, Riangs, Noatias and Uchais are very much alike except some minor differences. But unlike the elaborate Tipra marriage ceremony which now contains many adopted elements, the Riang marriage ceremony is simpler and more traditional. However, selection of life parter in the Riang society is lengthy and time-taking process. A successful marriage depends upon co-operation between a man and a woman whose union has been socially approved. Such a couple beget progeny, organise the household affairs and matters ancillary thereto. No person in the soceity, either male or female remains without a mate if he or she is not physically or mentally unfit for entering into a married life. The marriage is not only an economic necessity in the society but also it is a social and biological one.

1. MONOGAMY

In the present day Riang society monogamy is generally practised which is the norm now-a-days. In most of the tribal society of

4. Saha, A. N. *op. cit.* p.35

North Eastern Region, monogamy is the practice of the day. The laws of monogamy are strictly adhered to by the Christian Garos.[5] The existing tradition among the Riangs have laid down the norm of practising monogamy. A man can marry another woman only after the divorce of his first wife or after the death of first wife, if he so desires.

It is evident that there is no conflict in between the statutory provisions and the customary law so far as the practice of monogamy is concerned. After their marriage the husband and wife are popularly regarded having one soul as it were during life time unless divorce separates the couple.[6] After the marriage the wife must obey her husband in all respects of the house-hold affairs although she virtually manages the house-hold affairs. After marriage a mutual understanding takes place between the husband and the wife to maintain each other through out their life.

2. POLYGAMY

Now-a-days polygamy is hardly practised in the Riang society. In the opinion of Bajuban Riang, polygamy was strictly forbidden upto 1950 but thereafter plural wives are allowed in the Riang society by their customary law.[7] Sri Riang could not state any reason as to why there was departure from the early tradition. However, according to Gitya Kumar Riang, customary law permits a male member of the Riang community to keep plural wives provided the existing wife/wives has/have got no objection in the marriage for the next time. In the event of objection by the existing wife/wives, the husband is to diveorce first the objecting wife/wives subject to payment of fine to be imposed by the village council. Gitya Kumar Riang cited some examples so as to substantiate his statement, such as Late Rajprasad Chaudhury, Ex-Minister of Tripura, Raimani Riang,

5. Marak, Julius. L. R. *Garo customary laws and practices*, Calcutta, 1986. p.121
6. Rambahadur Riang (Baila fa), 80 years old of Tuisharanjangjaouh (Sona Charra) under Amarpur Sub-Division of South Tripura was interviewed on 08.11.94 at Amarpur.
7. Interviewed Bajuban Riang on 07.10.92. op. cit.

Ex-M. L. A. and some other prominent persons of the Riang comunity who were/are maintaining plural wives. Rajprasad Chaudhury first married Pujarung of *Moisoi* Clan and then married Ramaiti of *Meska* Clan[8]. However, during field survey it has been observed that barring a few cases, most of the modern Riangs are against the practice of polygamy and are inclined to monogamy.

3. POLYANDRY

Riang customary law does not permit polyandry and as such it is non-existant in the society. Polyandry is treated as a serious offence against the society and it is also treated as punishable offence. A woman may marry another husband only after taking divorce from the first husband, if she so disires.[9]

In case a married woman during the life time of her husband remarriages another husband, she and her new husband are to pay fine to the village council. Normally the fine amount does not exceed Rs. 100/- (Rupees one hundred) for each of the violator of the customary law. Over and above, the new husband is liable to pay compensation to the former husband almost equivalent to or half of the expenditure incurred in the marriage, which is fixed by the village authority at their discretion.[10]

4. BIGAMY

At present bigamy is not practised at all in the Riang Society and the same is punishable offence among them. The similarity with the statutory provisions, so far as relevant for our purpose, may now be pointed out, Prosecution for bigamy has been provided in sections 494 and 495 of Indian Penal Code.[11]

If a husband in the Riang society commits an offence of bigamy, in that case, he is given two options :

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8. Interviewed Gitya Kumar Riang on 10.11.92. *op. cit.*
9. Interviewed Bajuban Riang on 07.10.92. *op. cit.*
10. Interviewed Rambahadur Riang on 08.10.94. *op. cit.*
11. Saha. A. N. *op-cit.* p.13.

i. He is to give up all connections with the second wife and continue to live with the first wife only : or

ii. Divorce the first wife paying her maintenance after divorce. The divorced wife leaves her former husband's house and lives with her parents or elsewhere.

In the first case, both the husband and the second wife are required to pay fine to the village council according to their custom and tradition. The amount of fine, in each case, is generally fixed by the village authority at their discretion. Normally the fine amount does not exceed Rs. 30/= (Rupees Thirty) only by each party. The amount is realized for a community feast. However, in the event of non-availability of a pig for the feast, the fine amount is divided among the members of the council.[12]

5. AGE OF MARRIAGE (KAILAIMANI BOSI)

According to Riang customs and traditions, there is no fixed age of marriage. However, adult marraige is the usual practice and the child marriage is not preferred. Generally the marriage is performed after the attainment of puberty. Now-a-days the marriage of a boy or a girl is not performed till the parties reach the age of 20 years or so.[13]

Here also it is evident that there is similarity of Riang customary practice regarding the age of marriage with that of the statutory provisions as stated earlier. However, in the olden days, the age was counted with reference to their Jhuming operations in particular areas. This served as a bench-mark in determining the age of an individual born at a particular point of time.[14]

Marriage does not always depend on age and may be deffered due to economic conditions, because the boy after marriage,

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12. Keromchi Riang, 80 years old, Tangpaiya para of village Tuirbuha under Amarpur Sub-Division of South Tripura, was interviewed on 07.11.94 at Amarpur.
13. *Loc. cit.*
14. *Loc. cit.*

according to their customs, is to serve for a period of three years or so in the father-in-law's house and during that period the boy's parents are deprived of the service of their son. This economic factor is also taken into consideration before settlement of marriage.

According to the customary practice a husband is generally older than his wife by a few years, but higher age of wife than that of her husband is no bar against their union. Lower age of the husband does not prejudice his position in the family. During field survey it has been observed that in majority cases the difference of age between husband and wife is generally 3/4 years. However, it is evident that there is no hard and fast rule in the traditional Riang Society regarding the relative age of the married couple.

6. BETROTHAL (*CHHOIKHEMO*)

Betrothal is known as *Chhoikhemo* which is arranged immediately before the marriage. Normally in the traditional Riang society marriage takes place within 2/3 months of the formal betrothal. Although it is an exception among the Riang, but it is permitted by their customary law that a child may be promised for marriage even before its birth. This promise is made between the parents of the two parties. The child is informed about the betrothal when he/she is grown up to understand the implication of marriage. But such betrothal is not binding if a child is proved to be distasteful or unsuitable. No punishment or compensation is prescribed if the marriage does not take place after such betrothal [15]. The parents or the guardians of the parties arrange betrothal. The betrothed couple are not allowed to have sexual intercourse or any other marital privilege before solemnization of marriage.

6.A. MARRIAGE PROPOSAL (*SINGLAIMO*) AND MATCHMAKER (*ANDRA*)

Initiating a marriage proposal is called *singlaimo* which is initiated by the father or the guardian of the bridegroom to the parents

15. Gamanjoy Riang, Chaudhury of the village Tuisharangjaouch (Sona Charra) under Amarpur Sub-Division of South Tripura, was interviewed on 08.11.94 at Amarpur.

or guardian of the bride through a match-maker who is called *andra*. Much bargaining takes place after initiation of *singlaimo* to decide the bride-price which includes period service to be rendered by the groom to the family of the bride. For this, the match-maker is to move like a shuttle.

The rule of match-maker is recognized in most of the tribal and non-tribal societies. In Santal customary law the first step in marriage is the appointment of a match-maker (*raebaric*)[16].

B. OCCASION PRIOR TO FORMAL BETROTHAL (*ANDRA KHUTOIMO*)

According to customary practice betrothal usually takes place at the bride's parent's house. On a particular day to be fixed by the match-maker, the parents or guardian of the bridegroom alongwith some other relatives go to the house of the bridge's parents and offer two bottles of country liquor to the elderly memers who assemble in this occasion at the bridge's house. If the marriage proposal is accepted by the bride's party, the groom's party offer some food like a pig or fowl and country liquor to the persons who assemble there. The invited guests partake of the meal prepared for this occasion is called *Andra Khutoimo*[17].

There are some variations in the marriage customs of the Riang of North Tripura and South Tripura. *Andra Khutoimo* is not in practice among the Riangs of South Tripura. Instead of *Andra Khutoimo* they perform *Saikheimo* in which the presence of bridge and bridegroom is not necessary while the friends and relatives of both the parties remain present on that occasion. On the other hand, the Riangs of North Tripura perform both *Andra Khutoimo* and *Saikheimo*[18].

C. FORMAL BETHOTHAL (*CHAIKHEMO*)

After the ceremonies of *Andra Khutoimo* and *Saikheimo* a day is

16. Archer, W. G. *Tribal Law and Justice, A report on the santal*, New Delhi, 1984. p.230
17. Interviewed Gamanjoy Riang on 08.11.93 *op.cit*
18. *Loc.cit*

fixed for the performance of formal betrothal ceremony which is called *Chaikhemo*. On the day of formal betrothal the parents of bridegroom alongwith friends and relatives go to the bride's house with a pig to gether with sufficient quantity of country liquor. A feast is given by the parents of the bridegroom to all persons who assemble there to solemnize the betrothal.

At the *Chaikhemo* the date of marriage is fixed and various matters, such as particulars of items to be taken by the bridegroom's party at the marriage, the period of service by the bridegroom in the house of the bride's parents are all discussed and settled. Besides, on the day of betrothal the parents of the bridegroom finally decide whether the groom will render service physically staying with and working for the bride's parents or he will compensate the period of service by payment in kind or cash, or whether he will make part payment and render service for the rest of the previously agreed period of service.[19]

Although it is a rare phenomenon but it is not altogether absent in the Riang Society that the marriage does not take place after betrothal. In such a case, if it is reported to the *Chaudhury* concerned, then the *Chaudhury* alongwith *Karbari* (Assistant Chaudhury) and other village elders decide the matter in a meeting of the village council. According to the customary law, a fine amounting to Rs. 30/- is imposed upon the party at whose instance the marriage is cancelled. The amount is distributed among the members of the council.[20]

7. MARRIAGE CEREMONY (*KAILAIMO*)

About the marriage rites of the Riangs, Tipra and others *Lewin* remarks, "at marriage there is no particular ceremony, but a great deal of drinking and dancing"[21]. However, our observation differs. The Riangs are found to observe some rites which partially resemble the vedic rituals for Hindu marriage.

19. Pancharam Riang of Sona Charra under Amarpur Sub-Division of South Tripura was interviewed on 07.11.94 at Agartala. Shri Riang is the General Secretary of Bru socio-cultural organisation.
20. Interviewed Dastaram Riang on 08.07.93. *op. cit.*
21. Lewin, T. H. *op. cit.* p.81.

Chaikhemo initiates the marriage which concludes with the performance of *kailaimo*. This ceremony is commonly performed by most of the *Riangs* of Tripura. On the day of marriage the bridegroom alongwith his parents, friends and relatives go to the bride's parents' house in the evening in a procession. At the time of departure the *ouchai* (family priest) Performs the sacrificial rites with hen's egg at the outer door of the house and this is called *Tutattang Khemi*. Any other person in the absence of a recognized *ouchai*, may also act as *ouchai* provided he is not a widower or divorcee.

The marriage ceremony is performed in the house of the bride's parents according to their customs and traditions in the following manner :

A cane mat is spread on the floor and a piece of cloth is placed over the mat for the bridegroom to sit on. A quantity of oil, cotton, chilly, salt, ginger, onion, rice, one *dao*, a piece of iron, stone, and two bottles of country liquor are kept on a winnowing fan which is placed before the bridegroom. It is stated by the informant that one bottle of this country liquor represents the bride and the other represents the groom[22].

A *rnai* (breast cover), a traditional *Riang* cloth is kept to the left of the bride groom symbolically representing the bride. The *ouchai* chants hymns while the articles are placed before the bridegroom. The hymns recited in the ceremony have not yet been reduced to writing. The *ouchai* recites the same from his memory. So, in the absence of any written code, the hymns vary according to the memory and individual faculty of the *ouchais*.

Thereafter, the *ouchai* blesses the bride and hand over the cotton to the friends of the groom who find out the bride in the house and give her the cotton as blessing. The symbolical significance of the cotton in the wedding ceremony is far reaching. In indicates the

22. Smt. Padma Chaudhury of Chandipara under Amarpur Sub-Division of South Tripura was interviewed on 07.07.94 at Kailashahar. Smt. Chaudhury belongs to the Riang community. She is at present serving as U. D. Clerk in the office of the District & Sessions Judge, North Tripura, Kailashahar.

happy conjugal life of the newly married couple as brightness of the cotton promises a bright life. Generally the marriage ceremony is performed after the feast is over and it continues till late in the morning.

In the morning four earthen pitchers, each containing a kind of drink, specially prepared for the ceremony, are placed in one line at the centre of a room in the house. The bridegroom and his friends enter into the house with the *ouchai* who then sits on one side of the pitchers alongwith the bridegroom and utters the hymns. Thereafter, they sip the drink by a small bamboo tube and bridegroom enjoy the home made *brewage* with merry making. Two pitcherfulls are offered by the groom's parents and the rest is by the bride's parents.[24]

Pig, fowl, drinks, etc. carried by the parents of the bridegroom are distributed by the parents of the bride among the friends and relatives of the locality. It is the customary practice of the Riangs that the meat, rice, drink and other items of food are to be arraged and prepared by the various houses of the neighourhood. The cooked food items are distribued among the guest of the groom's party alongwith the members of the bride's party. Among the Riangs, the marriage is not an individual affair to be solemnized in solituted. Any ceremony of any particular house is considered as the ceremony of the entire hamlet and as such generally all the members of the hamlet are involved in any such ceremony.[25]

As soon as the feast is over bridegroom's parents and others who accompany the marriage procession, except 2 or 3 best friends of the groom, return home after the celebration of *Kailaimo*.

In the evening the newly married couple alongwith their friends enjoy the drink from the containers and the bride is introduced to the bride groom amidst merry making. On the next day, the friends of

23. *Loc. cit.*
24. *Loc. cit.*
25. Interviewed Bajuban Riang on 07.10.92 *op. cit.*
26. Chakraborty, Santimoy and Bandopadhaya, Suprasanna (ed) Riang, Agartala, 1968. p.29.

the bride as well as bridegroom go back to their respective homes after taking meals in the bridge's house.

According to customary practice the first union of the newly married couple takes place one day after the formal marriage and on the first night the bridegroom himself is to make necessary sleeping arrangement.

The bridegroom stays in his father-in-law's house alongwith the bride for a period of 3 to 4 years as agreed upon earlier between the parents of the bride and bridegroom.[27]

8. MARRIAGE PROHIBITION (*LEMAIYA*)

Marriage among the Riangs is partly clan-exogamous and party clan-endogamous. Unlike some other tribes of North-Eastern India eg, Garo whose marriage customs and laws are strictly exogamous, [28] among the traditional Riangs endogamy was strictly followed previously.

During field survey it is observed that marriage is not forbidden within a clan nor was it before, and marriage can take place between any two clans. Thus endogamy is concurrently practised with exogamy in the Riang society. At present the Riang community has also adopted certain new trends like inter-tribal and inter-ethnic marriages which are practised now-a-days among the Riangs though the latter form of marriage is a later development among them.

Riang marriage is regulated by two concepts, namely *Halaukaham* envisages the proper relationship in which marriage can take place between persons of the same generation, with the exception of one's own brother and sister. On the other hand, *Halaukchaya* envisages the forbidden relationship in which persons of different generations are involved in marriage. Although no marriage can normally take place in such relationship, but it is not without exception, Marriage within the for-bidden relationship is regularized through a special

27. Interviewed Gamanjoy Riang on 08.11.94. *op. cit.*
28. Marak,. Julius L. R. *op. cit.* p. 96.
29.Mukherjee. B. *op. cit.* p.96.

retual, *Halaukchaya NI Salong Sardami*, owing to the belief that the spouses will always remain exposed to danger and death to be caused by thunder. This ritual is performed in addition to the customary marriage ritual.[30]

According to the Riang custom and tradition a man can neither marry his sister's daughter nor his brother's daughter. Also a man cannot marry anybody who stands in the relationship as niece. He cannot marry a woman who stands in the mother's sister etc.[31].

Incestuous marriage is regularised and the couple are accepted by the society by performing a puja which is called *Phalkaimi*. This puja is performed by means of a big iron nail which is pierced through a big tree and the *Ouchai* performs ritual sacrificing either a cock or a pig beneath the same tree [32]. If a child is of the incestuous union, the baby is also accepted alongwith the parents by regularizing the marriage as stated above. Incest rules are equally applicable in all cases of man and woman irrespective of status, age, class or category.

In Santal customary law, there is recognition of another kind of marriage where there is neither prior consultation nor explicit approval, but if the two live publicly together as husband and wife and there is neither village intervention nor tribal punishment, in such a case local acquiescence validates their union. During field survey it is observed that although there is no such provision of marriage in the Riang customary law, however, the modern Riang society tolerates such union.

Junior levirate is not permissible in the traditional Riang Society. It is a punishable offence among them. Similarly, Senior sororate is also not in practice among the Riangs. Such types of marriages, despite restriction, if practised, the couple are liable to pay fine imposed by the village authority[34].

30. *Loc.cit.*
31. Interviewed Rambahadur Riang on 08.11.94. *op. cit.*
32. *Loc.cit*
33. Archer. W. G. *op. cit.* p.229
34. Interviewed Gamanjoy Riang on 08.11.93. *op. cit.*

The principles of marriage in the Riang society are now undergoing changes and cousin marriage of all types are taking place. In the Riang society, parallel cousins being *sandai* are socially very important, whereas cross-cousin marriage is an accidental development and operates as a stop gap measure and none of the existing theories of cross-cousin-marriage can explain its orgin among the Riangs.

The Riangs might have introduced the customs of cross-cousin marriage owing to the disparcel of the familial kin for the reasons stated earlier, or that the Riangs of Tripura might have found no objection in marrying cross-cousin who were originally in the *Halaukchaya* relationship and later classed with parallel cousin.

Parallel cousins are tied up in the wave of *sandai* bonds to which parallel cousins marriage owes its origin[35]. Also it is evident that in the present day Riang society monogamy is the common type of marriage and polygamy, though not illegal, is hardly practised. Group marriage and polyandry are not practised.

Sororate and levirate are occasionally practised but not preferred.

9. FORM OF MARRIAGE

In the past, various forms of marriage were in practice in the Riang society such as :

a. *Chamaroitoumi*-by service

b. *Sanglaimi*-by mutual consent

c. *Dafabai kaimi*-by bride price

d. *Kachuk Khalai*-by love

e. *Bruitoikhailya Lami*-by elopement

f. *Slailimi*-by exchange

g. *Toikhait Lamo*-by capture

According to Bajuban Riang, in the modern Riang society there is only one recognised marriage. This view is endorsed by many other

35. Mukherjee. B. *op. cit.* p.43.

educated Riang persons. However, during field survey it has been reported by many old Riang persons that marriage by exchange was strongly disfavoured owing to the belief that such marriage ends in divorce or barrenness. Similarly, marriage by capture, intrusion an elopement were also disfavoured. A man could not be wedded to a woman simply by capturing or eloping her. She had to give her consent and her parents had to arrange the marriage ritual[37].

9.A. MARRIAGE BY SERVICE (*CHAMAROIKAMO*)

Of all the methods, the most common one is marriage by service. After the performance of the marriage ceremony the bridegroom is required to stay in and serve the house of the bride for a period of there to four years as may be agreed upon between the parents of the bride and bridegroom, to serve there for the benefit of the bride's parental house-hold.

During the period of three years stay in the bridge's parental house, the couple once pay a good will visit to bridegroom's house. On that occasion the parents of the bridegroom offer their daughter-in-law one necklace made of silver coins, two *rignai* and two *risha* which is called *Andra*[38].

In the jhum society this was the age old custom of many other tribes of Tripura, known as *Jamai Khata*, *Chamaroikamo* was a popular custom in the olden days. In the past it could not be substituted by money compensation or by any other means. But the present day Riang society tolerates the payment of money as a substitute for service in the father-in-law's house. After expiry of the period of service, the bridegroom generally comes back with his wife and children, if any, to his parental house. But if the bridegroom so desires, he may also continue to stay in his father-in-law's house. In case he resides permanently in his father-in-law's house, he is not entitled to any share of his father-in-law's property. However, he may be given some property by the latter as a gift.

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36. Interviewed Bajuban Riang on 07.10.92. *op. cit.*
37. Interviewed Keromchi Riang on 07.11.93. *op. cit.*
38. Interviewed Bajuban Riang on 07.10.92. *op. cit.*

Hnema Loshai, S/o Bala Loshai married Drupadi Riang, the divorcee of late Janamjoy Riang. Hnema Loshai after marriage, has been residing in the parental house of Drapadi Riang as ghar jamai [39].

A. SIGNIFICANCE OF THE CUSTOM

This custom has three significant aspects, such as :

i. Mythological,

ii. Ceremonial and

iii. Socio-economic

i. MYTHOLOGICAL

Although this aspect is without any historical basis, it is the common belief of the elderly members of the community that as per desire of *Achu sibrai*, the creator of the Riang community, Debatarini and Debalakshmi, the primal parents of the Riangs, lived together for three years after their marriage. During this period Achu Sibral taught Debatarini all the rituals for the welfare of the child expected from Debalakshmi. Since then it became a custom on the part of the husband to live for three years in the house of his wife after marriage[40].

ii. CEREMONIAL

Training in rituals is very significant in the Riang society and this training is not received until marriage. After marriage a man receives the training during his stay in his father-in-law's house through rituals performed by him for his own children.

iii. SOCIO-ECONOMIC

A man is required to harvest three crops during his stay in his father-in-law's house. He tries his best to satisfy his in-laws by his work and he tries to adjust with his affinal kin. This training helps his future adjustment in the wider Riang society.

39. Debandra Riang, 70 years old of Sona Charra under Amarpur Sub-Division of South Tripura was interviewed on 07.11.94 at Amarpur.
40. Interviewed Rambhadur Riang on 08.11.94. *op. cit.*

During field survey it is observed that Parksing Riang of East Bagafa under South Tripura District stayed for two years in his father-in-law's house and cleared a debt of Rs. 100/- (Rupees one hundred) incurred by his father-in-law for which he was allowed to return home with his wife before the expiry of the scheduled period[41].

It has also been further observed during field survey that now-a-days a disrespectful attitude is growing particularly among the youths towards this custom. Some look down upon the custom and compare the position of a son-in-law in the house of wife with that of a cock in a cage (*Chamasoitowmi taw dekhematowmi*).

B. AIMS OF CUSTOMS

It is evident that the custom *Chamaroikami* has two aims :

i. to ensure behavioural adjustment and

ii. to initiate one of the ritual training.

It may be inferred that the custom will continue to be in force with necessary modification, if required, till the value of this two aims of the custom does ont submerge[42].

C. MARRIAGE PAYMENT (*ANDRARIMI*)

Rendering of service by the bridegroom in the house of the bride's parents after marriage, was one of the popular customs and traditions among the Riangs belonging to the old tradition. Now-a-days the custom has been relaxed perceptibly. The educated grown up boys are now inclined to marry not by service but by substitute payment.

Marriage payment, in the forms of goods, gifts, including fowls, pigs, goats, cloths, country liqour and traditional ornaments are made by the bridegroom to the bride's family. Such giving of property is regarded as dependable guarantee of an enduring-union.

41. Interviewed Ramadhar Riang on 30.09.92. *op. cit.*
42. Mukherjee. B. *op. cit.* p.48.

D. ELOPEMENT (*BRUITUIKHAIHMO*)

Among the traditional Riangs marriage by elopement is not a recognized form marriage. Elopement, though not permissible among them, is observable in the community itself. If a boy elopes with a girl and runs away from the village, then they are brought back by their relatives and thereafter their marriage is solemnised according to the usual customary procedures.[43]

If the boy, for any reason, is not in a position to serve wife's parental house for a usual period of three years, in such a case the boy may be released from the obligations by paying compensation either in cash or in kind as may be agreed upon between the parties. This method of substitute payment in lieu of service is applicable in all marriages. This is called Dafasing.[44]

Before solemnisation of the formal marriage the eloping couple is treated as de-facto married couple. After the marriage is regularised through usual customary procedures, they are treated as de-jure.

In case the parents or guardians of either of the parties refuse to agree to the proposed marriage, in such an event the willing party will invite the villagers of the unwilling party so as to persuade the unwilling party to agree. In case of failure to persuade the parents of the boy or girl whatsoever, the latter has to sever connection with his or her parents as the case may be. In extreme cases, however, the boy and the girl are separated for good and are wedded to the person of their parents' choice. However, no fine is imposed on any of the partners of the elopement.

E. OTHER MARRIAGE

Re-marriage of divorced man and woman, widow and widower are of various kinds. Marriage between a bachelor and a divorced woman or between a spinster and divorced man is called *Kaklai Kaleimi* and that between a divorced women and a divorced man is called *Kaklai Lalaimi*. Widow re-marriage on the other hand, is gen-

43. Interviewed Debandra Riang on 07.11.94. *op. cit.*
44. *Loc. cit.*

erally called *Randi-randa lalaimi*. Marriage of a widower with a spinster is called *Sockchok Baisikik*.

Such remarriages are not rare, but neither a widow nor a widower remarry, until the post funeral rituals of the deceased spouse is performed, owing to the fear of inteference by the spirit of the dead[45].

However, it is observed that neither a bachelor (*Sikla*) nor a spinster (*Sikli*) is prepared to marry a widow and widower or a divorced person. It is the general belief that a widow, widower and divorced persons are supposed to carry impurity and as such they are not permitted to participate in any social function except the post funeral ritual.

A commendable feature of the Riangs is that they never allow an elderly widower to marry a young girl far junior to him in age. They always insist on proportionate age level between the couple and discriminatory treatment towards the weaker sex in this respect is strictly forbidden[46].

10. SEASON OF MARRIAGE

According to customary practice Riang marriage takes place in the auspicious months of *Vaishakh* (April-May), *Jaistha* (May-June), *Kartik* (October-November), *Agrahayan* (November-December), *Magh* (January-February) and *Phalgun* (February-March)[47].

In the olden days marriage among the traditional Riangs used to be performed during the month of Agrahayan which to them was the best month for celebrating the marriage ceremony. On the other hand, the month of *Bhadra* (August-September) is considerded to be the best month for bethrothal. But the month of *Pous* (December-January) and Saturday are considered inauspicious (*Saktung or Fartung*) in respect of performing a wedding ceremony[48].

Now-a-days the Riangs appear to be liberal in respect of season

45. Mukherjee. B. *op. cit.* p.44
46. Menon. K. D. (ed.) *Tripura District Gazetters*, Agartala, 1975. p.148.
47. Interviewed with Smt. Mahanti Riang held on 08.07.93. *op. cit.*
48. *Loc. cit.*

of marriage. Even if some one marries at any time except in the month of *Pous* and *Bhadra*, the Riangs today do not take it as an infringement of the traditional law. They believe that super natural sanction is enough to regulate their behaviour in respect of marriage celebration.

11. DIVORCE (*KHALAIMO*)

Though divorce is not a common occurance in the Riang Society, it is not altogether absent. Divorce ends the obligations of marriage, leaving the parties free to remarry. Both husband and wife can initiate a divorce against each other.

11.A. GROUNDS FOR DIVORCE

If one or both of the couple feel intolerant of each other, in that case divorce can be initiated on the following grounds : cruelty, desertion, adultery, unsoundness of mind, incurable disease, unfaithfulness, rape, habitual neglect of duties or barrenness etc.[49]

Here the relevant statutory provisions relating to the grounds of divorce may be set out so as to make a comparative estimate between the forces of custom prevalent in the Riang Society and statutory provisions in this regard :

Section 27 (1) (d) of the Special Marriage Act provides that if the husband treats his wife with cruelty then the wife may obtain divorce against her husband.[50] Desertion as a ground for divorce has been recognized in section 13 (1) (d) and 10 (1) respectively of the Hindu Marriage Act, and section 27 (1) (b) and section 23 (1) (a) respectively of the Special Marriage Act[51]. Besides, section 13 (1) (i) of Hindu Marriage Act provides that, "living in adultery" can be evoked as a ground for divorce.[52] Similarly, the unsoundness of mind, habitual neglect of duties etc. are also grounds for divorce as recognised in the statutory provisions in force for the the time being.

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49. Interviewed Nilchandra Riang on 08.07.93. *op. cit.*
50. Saha. A. N. *op. cit.* p.124.
51. *Ibid.* p.151
52. *Loc. cit.*

It is evident that there is similarity between the customary laws and the statutory provisions regarding the grounds of divorce. It may be inferred that the Riangs are inclined to follow the laws of the land even in their customary laws.

A divorce may occur during the period of service in the house of the father-in-law. If the bride-groom is found unsuitable for his laziness and inefficiency, then the father-in-law in consultation with his wife and daughter may reject the resident bridegroom which ends in divorce.

If the divorce takes place during the period of service by the husband in the house of the father-in-law, and the divorce is sought for by the wife, the bride has to compensate the divorced husband to the extent of paying back the expenditure incurred by the husband's party for the marriage. On the other hand, if the divorce is sought for by the husband, in that case he has to compensate the wife to the extent of the expenses incurred by the wife's party in celebrating the marriage ceremony.

If divorce is sought for by the husband beyond the service period, the husband is liable to pay a fine (*yoksom*) of Rs. 60/- (Rupees sixty), three times of the stipulated amount of Rs. 20/- only, to the wife. On the other hand, if divorce is sought for by the wife in similar conditions, in that case the wife is liable to pay six times of the stipulated amount of Rs. 20/- i.e., Rs. 120/- (Rupees One hundred twenty) only to the husband. Over and above, at times some additional amount is to be paid by the divorce seeker for the enterinment of the village council members[53].

During field survey it has been stated by Gitya Kr. Riang that the rate of penalty in connection with divorce is greater on the part of the wife than that of her husband for the reason that the husband is to incur maximum expenditure at the time of marriage. It is also stated by Sri Riang that the village council cannot stop any divorce if it is sought for by either of the spouse. However, it is within the

53. Interviewed Dastaram Riang on 08.07.93. *op. cit.*

competence of the village authority that the divorce seeker may be deprived of inheritance or any other benefits as the case may be, if it is found that the other side is innocent[54].

A divorce can take place by mutual consent of both the parties and the divorcee can re-marry at any time after final dissolution of the union. Here we find similarity of this custoamary practice with that of the statutory provisions. Divorce by mutual consent has been provided in section 28 of the Special Marriage Act and section 13 (B) of Hindu Marriage Laws (ammendment) Act, 1976.[55]

Divorce effected mutually is called *Sambak Kahlaimo* and when effected severally it is called *Kawmi*[56]. If a man effects a divorce, the children are taken by his wife and he has to part with some property of his for the maintenance of the children. On the other hand, if a woman effects a divorce, the children are kept by her husband. But when divorce is effected mutually the fate of the children is decided by the settlement reached mutually by them. However, if there is only one child, in that event the woman is given the privilege of keeping the child. Usually infants are taken by mother and it is left to them to choose either of the parents they would like to live with when they become grown up (*Khaskhai*)[57].

According to the customary practice, if the infant when grown up decides to live with the father, then latter has to go and fetch him/her from his/her mother and performs *sandaisemi* ritual in his house to get him/her acquainted with his *sandai*. On the other hand, if the child when grown up decides to live with his/her mother, he/she will have to adopt the clan or sub-clan of the mother after the performance of *okcharimi* ritual when *Toibuma* and *songruma* are worshiped.[58]

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54. Interviewed Gitya Kumar Riang on 10.11.92. *op. cit.*
55. Saha. A. N. *op. cit.* p.120.
56. Mukherjee. B. *op. cit.* p.45.
57. Bishnuram Riang (promila fa) 75 years old of the village Tuisharangiaouch (Sona Charra) under Amarpur Sub-Division of South Tripura, was interviewed on 08.11.94 at Amarpur.
58. Mukherjee. B. *op. cit.* p.45.

Dhanarai Riang, S/o Sambajoy Riang of Jogendra Riang para under North Tripura District, divorced his wife Sonabati Riang, D/o Baniram Riang. Divorce was initiated by the husband in the year 1987. Divorce proceedings were held at Jogendra Riang para. Nilchandra Riang, Chaudhury of the hamlet presided over the council meeting where divorce proceedings were held. Surendra Riang, Chaudhury of Sadhucharan Riang para of North Tripura was also present in the preceedings. The council granted the divorce after hearing both sides and ordered Dhanarai Riang to pay Rs. 1250/- (Rupees One thousand two hundred fifty) only out of which Sonabati (Wife) got Rs. 1000/- and the rest amount of Rs. 250/- was distributed among the members of the council. The wife got custody of the only minor son as per order of the council.[59]

In this particular case the amount of fine levied varies from the fine amount levied by the traditional regulation, stated earlier. It has also been observed that the amount of fine normally levied by the *chaudhury* of the village council has become discretionary. An attempt was made a few years back to introduce a uniform amount of fine. But the attempt failed.

Generally divorce proceedings are held in public. All the divorce cases are settled by the council of village elders. When the divorce proceedings are taken up for hearing, the representatives of both the parties remain present and they are given opportunity of being heard for judicious decision before disposing of the case. If divorce is effected mutually, the council imposes a nominal fine of Rs. 30/- on each which, each of them shall have to pay to the council of elders as token of respect shown to the council. But the procedure for imposition of fine is different when it is effected on by importunity or intolerance of either of the spouse. If a man divorces his wife, he has to pay a compensation (*Chamini*) to his wife for three months at the rate of Rs. 10/- per month and the value of the presents (*sampattimaibiha*) that the father of the girl gives to his daughter when the son-in-law takes her home after the expiry of three years of stay at bride's house. On the other hand, if the wife divorces her husband, she has to pay yoksom as stated earlier and in addition, she

59. Interviewed Dastaram Riang on 08.07.93. *op.cit.*

has to pay Rs. 10/- as indemnity (*dainsing*). *Chamini* will be paid by a man and *dainsing* to be paid by a woman have now been raised to Rs. 100/- and Rs. 20/- respectively. If a divorced woman is taken back by her husband then Rs. 5/- is to be paid by him to the council and the performance of *balarimi ritual* (for expiation) have to be repeated again [60].

In case divorce is allowed on grounds of delinquency of both the husband and the wife, each has to pay fine (*Yoksom*). The fine amount varies with the discretion of village council. In case the divorce takes place after the period of service, the same amount of fine and compensation shall have to be paid to the council of elders and to the divorcee whatsoever. Over and above, the paddy and other commodities produced by the joint efforts of the husband and wife, are divided equally between the divorced husband and wife. Thereafter, the divorced woman leaves the house of her husband.

As per customary practice there is no provision for maintenance allowenee. It is neither sought, nor given by either of the party. Divorce is allowed even when a woman is pregnant. In such an eventuality an amount which varies according to facts and circumstances, is to be paid by the husband to the divorced wife to meet the expenses connected with the delivery of the baby. In such case the mother becomes the rightful custodian of such child.

As regards maintenance allowence, there is standing legal provision, but, in the Riang customary law, there is no such provision. In this particular deviation from the legal provision pertaining to maintenance allowance is quite obvious.

From the marriage and divorce system as prevalent in the past and present Riang society, it becomes evident that in the Riang society, particularly the opinion of the village elders, plays dominant role. The change of attitude towards these two institutions is no doubt noticeable; but as the Riang society, like many other societies, is patriarchal, the male-bias an age-old system with the exception of *Jamai-Khata* system, is also noticeable. The demand for equal rights and equal laws for male and female is still a far cry in the Riang society.

60. Interviewed Bishnuram Riang on 08.11.94. *op. cit.*

CHAPTER-V

CUSTOMARY LAWS AND PRACTICES OF BIRTH, DEATH AND RELIGIOUS BELIEF

CHAPTER-V
CUSTOMARY LAWS AND PRACTICES OF BIRTH, DEATH AND RELIGIOUS BELIEF

The Riang confront man, nature and God with equal emphasis. They regard the relations of the three as intimate, and maintenance of these relationships as the duty of man. To the Riangs, man, nature and God are closely associated and the duty of man consists chiefly in the performance of rituals of the community that maintains a perpetual and harmonious relationship between man, nature and God. "Existence is, with the Riangs, an endless round of repeating natural and devine events in which man is a part, and aspect of God-nature."[1]

There are two aspects behind the performance of ritual in the Riang society. One is that they aim at achieving security--economic, social and personal. They believe in purification of self and the house without which danger threatens life. They also believe that security in life cannot however, be achieved either by personal effort or by worshiping a few familiar deities. The other aspect is that religion had profoundly influenced their life and directed their activities.[2] Thus one is encouraged to learn the procedure of the rituals and to perform them in order to gian security in life.

Riang customary laws and practices of birth, death and religious belief revolve round the performance of various rituals which sometimes play some minor roles in the social history of a tribe. Now let us have a look at the relevent customary laws and practices as well as related rituals as prevalent in the Riang society.

1. BIRTH

The Riang Woman on the following day of marriage performs *tuichami* ritual in the hope of obtaining a good child. The *ouchai* worships *kalakhi-kalakha* deity on the bank of the river Gomati. When the wife gets conceived, the same ritual is once again observed more elaborately. When the child is duly born *Abusyami* ritual

1. Niyogi, Tushar Kanti, Folktales and Mythe of Riang and Tripura communities--*A study of their cultural profile*, Anthropological Survey of India, Government of India, Calcutta-16, 1983. p.49.
2. Mukherjee B. *op-cit*, p.72

is performed in which five chickens and three eggs are offered to the deities. *Bachakkami* ritual is observed fifteen days after the performance of *Abusyami* rite. This ritual is observed for the better health of the babay.[3]

It has been observed during field survey that the Riangs of the present day still perform a series of complex customary rituals of the past relating to the birth and growth of the child.

A. NAMAING

Abuchimi ritual is gorgeously performed on the day when the umbilical cord is severed from the baby [4]. On the same day the name giving ceremony is also observed.

Naming among the Riangs is significant. Some examples are cited below : i) *Nagakruiya*-means house-less. If the parents of the baby do not have any dwelling house at the time of the birth of the child, in that case such name is given.

ii) *Klokha* means long.

iii) *Kebalha* means weak.

In this manner naming of the child is made [5]. It appears that the formality of naming a new born depends mostly either on the physical appearence of the baby or on the material situation in which the baby is born. Thus names sometime help up to trace the lost chapters of the history of the Riang people.

2. DEATH

The Riangs believe that human life has its ultimate end. Death is believed to have come from the creator and protector and therefore is not stranger, alien and unnatural.

A. IDEA OF SOUL AND REBIRTH

The Riangs distinguish between the spirit of the dead which is

3. Interviewed Nidhiram Riang, 80 years old on 7-8-93. *op. cit.*
4. Chakraborty Santimoy and Bandopadhay Suprasanna (ed). *op. cit.* p.22.
5. Census report of 1901, *op. cit.* p.35

known as *laotak* and the human soul which is known as *rangma-nawba*[6]. After death, they believe that soul becomes wind and ultimately mixes with "void". They also believe that unless soul mixes with "void", it cannot have rebrith as human being. On the other hand, the spirit of the dead lives in the shed (*Simangnok*) and wanders about in the neighbourhood till the post funeral rite is not performed and the bones are not immersed. The *laotak* which remains associated with the bones ultimately enters the world of water (*Tui*).[7] The Riangs strongly believe in rebirth but it is connected with Karma (acts). The nature of rebirth is determined by the kind of life one has led in the past. So to the Riangs, human life is precious and is meant for virtuous acts. No rebirth is, however, possible unless the post funeral rite is performed. Post funeral rituals is the last ritual that is performed in memory of the dead and hereafter no offering, prayer or worship are extened to them through the performance of any ritual connected with the socio-religious life of the Riangs [8].

B. TABOO

Marriage, dancing, wearing of ornaments for a widow are forbidden in the house of dead till the post funeral ceremony is not performed. No worship of the household deties and performance of the rituals are undertaken in the house of the dead. However, there is no restriction for performance of rituals connected with the child birth and the diseases. Another interesting aspect of the Riang customary practice is that neither any household ritual nor marriage can take place in any house on the day of any death in the hamlet. It is the common belief of the Riangs that when any death in the hamlet. It is the common belief of the Riangs that when any death occurs in any village, the entire village becomes impure (*para abuswni*) and any body on hearing the news of such death does not venture his or her step out for any work, however, important it may be because of

6. Interviewed Nidhiram Riang, 80 years old on 7-3-93, op. cit.
7. Mukharjee. B. *Cult of the dead and funerary customs of the Riang*. Bulletin of the department of Anthropology, Vol-IV. No.2, July, 1955, p.112.
8. *Ibid*. p.113.

uncertain result [9]. What a great part the society plays in the life of an individual is to be realised from the above custom in the Riang society which is still now prevalent.

According to the customary law as prevalent in the Riang society remarriage of the surviving parter is strictly prohibited till the post funeral ritual and *baisu* ceremony are not held at the end of the year. At the *baisu* ceremony offering of fruits and rice are given to the place of *Mainokma* (Goddness of wealth) and dancing and singing are resumed in every house with the hope of a happy and prosperous life [10].

C. MOURNING

Mourning lasts for three days. It is called *chaianaya satham* which means three days' restriction. According to customary practices after the death of a man his wife and children must abstain from drinking liquor and dancing and the widow must put off the ornaments immediately after the death of her husband. But the parents do not observe any taboo on the death of their children, nor a man when his wife dies. During mourning no restriction is, however, imposed on food [11].

D. KOTHOINAIMI

According to usual practice this ritual is observed one year after the death. During this ceremony a bamboo structure (*noksa*) is made on the back of the but (*nokgul*) where the bones of the dead on being carried from simangnok covered in red cloth are kept for the night during which all man and woman drink and dance. Intermittent beatings of the drums which follow the rythm of the dance create great emotion and laughter [12].

According to Riang customary law a widow must carry the bones of the dead to the house and back to the river for immersion. No

9. Interviewed Rambahadur Riang, 80 years old on 8-11-94, *op. cit.*
10. *Loc. cit.*
11. Interviewed Keremchi Riang, 80 years old on 7-11-93, *op. cit.*
12. *Loc. cit.*

married woman can do so for fear of *Sisimangji* (evil spirit) who, it is believed, will kill her child or deny her children as *Sisimangji* dislikes the bones to be immersed [13].

During field survey it has been observed that now-a-days the Riangs do not strictly follow this customary rule. For example in the *Kothoinaimi* of Sajoy Riang who belonged to the *Musa* clan of Toikrama under South Tripura and who died a bachelor, departure from the early tradition is preceived. Here the married sisters carried the bones, contrary to the practice. This was owing to a quarrel with the father's brother who brought up the dead. Father's brother being a *Baishnabite* denouned tribal customs and wanted to bury the dead. It is stated by the *informant* that a married woman who had been a widow formerly, can carry the bones. This is probably a modification [14].

An elaborate post-funeral ritual is very expensive and poor people can hardly afford such an expensive affair. So to fit in with their family economy, some changes in the funerary rites have been brought about. Long cultural contact with Bengalee Hindus made an impact on the cultural pattern of the Riangs without complete disregard for their own traditions. Oblation of ghee and sandel wood over the pyre, immerson of bones in the reiver Ganges, preference for burial to creamation by Vaishnabite Riangs, are undoubtly adopted elements operating on the cultural frame-work of the Riangs. But, in case of the poor Riangs such expensive funeral rites are rarely observed.

3. RELIGIOUS BELIEFS AND PRACTICES

The common features and nature of religious beliefs of the Riang are almost same as in the case of any other polytheistic religion. The religious beliefs of the Riangs contain elements of Animatism, Animism, Dream, Divination, Polytheism, Totemism, and Witchcraft.

13. Mukherjee. B., *op. cit.* p-116
14. Interviewed Rambahadur Riang on 8-11-94, *op. cit.*

married woman can do so for fear of *Sisimangji* (evil spirit) who, it is believed, will kill her child or deny her children as *Sisimangji* dislikes the bones to be immersed [13].

During field survey it has been observed that now-a-days the Riangs do not strictly follow this customary rule. For example in the *Kothoinaimi* of Sajoy Riang who belonged to the *Musa* clan of Toikrama under South Tripura and who died a bachelor, departure from the early tradition is preceived. Here the married sisters carried the bones, contrary to the practice. This was owing to a quarrel with the father's brother who brought up the dead. Father's brother being a *Baishnabite* denouned tribal customs and wanted to bury the dead. It is stated by the *informant* that a married woman who had been a widow formerly, can carry the bones. This is probably a modification [14].

An elaborate post-funeral ritual is very expensive and poor people can hardly afford such an expensive affair. So to fit in with their family economy, some changes in the funerary rites have been brought about. Long cultural contact with Bengalee Hindus made an impact on the cultural pattern of the Riangs without complete disregard for their own traditions. Oblation of ghee and sandel wood over the pyre, immerson of bones in the reiver Ganges, preference for burial to creamation by Vaishnabite Riangs, are undoubtly adopted elements operating on the cultural frame-work of the Riangs. But, in case of the poor Riangs such expensive funeral rites are rarely observed.

3. RELIGIOUS BELIEFS AND PRACTICES

The common features and nature of religious beliefs of the Riang are almost same as in the case of any other polytheistic religion. The religious beliefs of the Riangs contain elements of Animatism, Animism, Dream, Divination, Polytheism, Totemism, and Witchcraft.

13. Mukherjee. B., *op. cit.* p-116
14. Interviewed Rambahadur Riang on 8-11-94, *op. cit.*

A. ANIMATISM

Animatism means attribution of life, spirit or personality to physical objects or phenomena [15]. The belief in animatism is found among the Tipras, Riangs, Noatias, Jamatias, Kukis, Halams, Ochais and others.

The Riangs believe that natural objects from the stone to mountain are having lives in themselves. They also believe that certain stone and pebble being husband and wife begat children at jhum field and this family of stones are kept with due honour and offerings in pair of earthen pots (*Lakshmi patil*) full of rice.[16] To the Riangs the *Raima* and *Sharma* [17] are supposed to be lovers and high mountains are venerated.[18]

B. ANIMISM

Animism is phase of animatism. [19] Natural objects are believed to be the aboders of spirits, Gods and deads. Like many other tribes of North Eastern Region, the Riangs believe in animism.

Like Tipras, Jamatias, Noatias, Kukis and Halams the Riangs believe in the existence of soul which they call *fala*. It is the common belief of the traditional Riangs that during sleep the soul departs from the body and takes the shape of a grasshopper and moves to and fro and thereafter comes back and enters the body. So the Riangs do not kill any grasshopper particularly after dusk lest a person may not die. To the Riangs, sleep implies temporary departure of soul an death means permanent departure of soul [20].

C. TOTEMISM

Totemism is a weird ancient idea about the transmigration of soul and the real totem is some species of bird or beast, reptile or fish or

15. Gan Chaudhury. J, *op. cit.* p-66.
16. *Ibid.* p-67.
17. Raima-Sharma is also the name of place in South Tripura District.
18. Gan Chaudhury. J. *op. cit.* p.67.
19. *Ibid.* p.66.
20. *Loc cit.*

else some variety of plant.[21] The totem animal is not killed and a period of mourning is observed on its death.

Totemism is in practice in most of the tribal communities of North Eastern Region including the Riangs. The aged Riangs believe in ancestral relation with the famous bird Garur (*Bihanga*) which is respected by them, Many of the Riangs believe that the term Riang is a corruption of *Bihanga*.

D. DREAM AND DIVINATION

The Riangs believe in dreams and divinations. To them dream reveals the un-known and un-certain future. Drerm comes as their help in selecting a particular site for *jhum* cultivation and construction of house. But the object seen in dream is of utmost importance.

Divination is mystical means of knowing before hand and the future on an enterprise or of a marriage proposal or the cause of a danger, disease and the like.[22] The Riangs believe that wrath of some malignant deities causes disease. *Ouchais* are experts in divinatory practices and they can detect the cause of disease etc. after examining the entrails of a chicken.

E. WITCHCRAFT

Witchcraft is as ancient as civilization. Though it has no scientific basis, witches were greatly feared with the result that many persons were murdered after being branded as followers of this pagan cult.

Witchcraft known as *swkals* among the Riangs is still in practice. The main aim is to harm an enemy or any member of his family through evil eye cast on food. Both the sexes can practise witchcraft but it is the woman who are believed to be proficient.[23]

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21. Bhattacharjee Priyabrata, '*The History of Tribal religious cults of Tripura*'. *In Tui*. A quarterly research Megazine, Vol. No. III. Agartala, 1993, p.81.
22. Gan Chaudhury. J. *op. cit*. p-68.
23. Ramprasad Riang, 55 years old was interviewed on 9-7-95 at Santirbazar. He is the son of Late Khorfa Chaudhuri, Ex. M. L. A. Now, he is the Chaudhury of Tuikarma para, P. O. Manpather under P. S. Santirbazar of South Tripura.

Kailash Chandra Singh cited one example of witchcraft which may be mentioned in this context :

Kapiroy Riang was identified as *swkal* by some other Riangs. His wife Khichma endorsed the view of other Riangs. Thereafter, in the month of *Jaishtha* (May-June), 1291 T. D., Kapiroy was sacrificed before Goddess Kali in dense forest. Thakur Dhananjoy investigated the case and ten months after the incident the accused persons were arrested. Leter on they were tried and convicted and sentenced to suffer imprisonment.[24]

F. POLYTHEISM

The Riangs believe in polytheism i.e., they worship more than one god and goddess. The Riangs are polytheistic not in their beliefs and concepts only but in their ritul practices and functions as well. This aspect of their religious belief is not anything peculiar to them only, it is an universal phenomenon of religious worship. What is interesting to note, is that unlike other viz., the Bengalee, the Riangs are prone to worship a number of Gods at a particular alter, ofter foodgrains, sacrifices and decorative articles simultaneously to several other deities whose rituals are not scheduled at the alter.[25]

G. PLACE OF OUCHAI IN THE SOCIETY

In the Riang community the *ouchai* serves the priestly function. He summons the name of the deities and mutters prayers, offers articles and sacrifices to them on behalf of the whole village in communal worship. It is believed that the *ouchai* is the only man who knows well about the intentions and desires of the Gods. The community members always accept the will of Gods as interpreted by *ouchai* with full faith and prepare themselves accordingly.[26]

The *ouchai* has unlimited sphere of activities. No birth rite, no

24. Singha, Kailash Chandra, *Rajmala* (*Pratham Khandra*), Agartala, 1303 B. S., p.199.
25. Niyogi, Tushar Kanti, *op. cit.* p.41.
26. Janaram Riang, 33 years old was interviewed at Santirbazar on 9-7-95. At present he is serving as Asstt. Teacher at Alloycharra Govt. High School.

marriage ceremony, no funeral ritual, no jhum, no intitiation ceremony etc. can be solemnised without supervision of *ouchai*. He also serves the community as a medicine man. Thus as in the traditional Hindu society the priestly class enjoyes a prime position, similarly the *ouchai* occupies the same position among the Riangs who still practise traditional religion which is a mixture of animatism, animism and various branches of Hinduism.

It is evident that the Riangs' religious beliefs and practices consist of a series of sacrifices and ceremonies and those are not moral code. It is admitted by themselves that sacrifices and ceremonies are not the essence of their religious beliefs and worship of so many Gods and Goddesses are not essential. Sacrifices are made not only for propitiation of deities but also to express gratitude to God for giving good crops. Th them the greatest virtue is truth and the greatest sin is telling a lie. Here there is no difference between the Riang belief and the essence of any great religion of the world.

4. IMPACT OF CHRISTIANITY

Although Christianity entered Tripura first during the reign of Amar Manikya (1577 to 1585 AD) but the wave of Cristianity reached different sections of the Tribes of Tripura for the first time during the first quarter of 19th Century under banner of different mission society. According to 1981 Census out of 24,872 Chirstians 22,664 are Scheduled Tribes and the rest 2,208 only are non-tribals [27].

It is said that an evangelist managed to convert 80 Riangs into Christianity at Manu under North Tripura and one Khu Rai was the first person from the Riang community who was baptised in 1926.[28] From the records it further appears that 16 Riangs of Jampui of North Tripura accepted Christianity and were baptised in the year 1944 and also a few Riangs of Dasda, Damchara and Uttamjoy Para of North Tripura became Christian in 1949 and gradually quite a good number of Riangs adopted christianity during 1969 and 1970.[29]

27. Bhattacharjee, Priyabrata, '*Origin and growth of Christianity among the Tribes of Tripura*. In Tui. A quarterly Research Megazine. Vol. No.II. No.3.
28. *Loc. cit.*
29. *Loc. cit.*

The following table will show the demographic position of different tribes of Tripura who embraced Christianity according to 1981 Census. (The religious division of the tribes of Tripura according to 1991 Census is not yet published)

TABLE NO.-8

CHRISTIAN POPULATION AMONG THE SCHEDULED TRIBES OF TRIPURA

Sl. No.	Name of Schedule Tribes	1961 Census		1981 Census	
		Persons	Christians	Persons	Christians
	2	3	4	5	6
1.	Bhill	69	1	838	3
2.	Bhutia	7	-	22	-
3.	Chaimal	50	-	18	1
4.	Chakma	22.386	5	34,797	16
5.	Garo	5,484	1,698	7,298	3,883
6.	Halam	16,298	253	28,970	300
7.	Jamatia	24,359	-	44,501	484
8.	Khasia	349	216	457	355
9.	Kuki (including sub-tribes)	5,531	2,345	5,502	4,358
10.	Lepcha	7	-	106	9
11.	Lushai	2,988	2,950	3,734	3,637
12.	Mog	10,524	6	18,230	3
13.	Munda, Kaur	4,409	73	7,993	129
14.	Noatia	16,010	5	7,182	83

15.	Orang	2,875	24	5,217	37
16.	Riang	56,597	1,705	84,004	4,039
17.	Santal	1,562	2	2,726	23
18.	Tripuri	1,89,799	54	3,30,872	959
19.	Uchai	766	254	1,306	744
Unclassifed -		-	147		
Total Number		3,60,070	9,591	5,83,920	22,664

SOURCE : Chakravarti, Mahadav, 'The New Zealand Baptiest Mission and Beginning of Christian Missonary Activities in Tripura', Proceedings of North East India History Association, Tenth Sessions, Shillong, 1989, p.232.

It is evident from the above table that the Riangs constitute the highest number who were converted to Christianity. Obviously, this conversion of portion of the community has made an impact on the cultural frame-work as well as customary laws and practices of the Riangs of Tripura. Now-a-days most of the converted Riangs do not follow their customs and tradition, rather they are more inclined to follow the comand of the Church which is mostly Western in appearance.

CHAPTER-VI

SOCIAL OFFENCES, CRIMES AND PENALTIES

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The problem of administration of justice in tribal areas of the North-Eastern Region, after independence attracted serious attention of the constituent Assembly. Regarding crime and civil justice, a sub-committee of the constituent Assembly with the Chairmanship of Gopinath Bordoloi recommended :

"On the principle that the local customary laws should be interfered with as little as possible and the tribal councils and courts should be maintained, we recommend that the hill people should have full powers of administering their own social laws, codifying or modifying them."[1]

W. W. Hunter observed that the courts of Hill Tripura dispensed justice according to a primitive system of equity and good conscience and there was no regular judicial procedure.[2] The Rulers of Tripura, however, recognised customary laws of the tribes and the village council or chiefs who administered them.[3]

In the year 1870, King Birchandra Manikya issued a set of rules of civil and criminal procedure for administration of justice. But it was provided in these rules that the diputes between tribal people should continue to be decided according to the customary laws and rules or the respective tribes notwithstanding anything contrary to these rules.[4]

Now lets us have a look at the customary laws and practices regarding social offences, crimes, settling of cases and penalties as are found to be in practice in the Riang society. The Riangs of Tripura have elaborate customary laws and practices to deal with all types of social offences--civil and criminal. But the mode of settling cases and the imposition of fines (*yoksom*) differ from case to case and

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1. Das, J. N., *A Study of Administration of Justice among the Tribes and Races of North Eastern Region*, Guwahati, 1987, p-69.
2. Hunter. W. W. *Statistical Account of Bengal (Statistical Account of the state of Hill Tipperah)* Vol. VI. 1876, re-printed in 1973, Delhi, p.462.
3. Das, J. N. *op. cit.*, p.68
4. *Ibid*, p.620

place to place as well. The main civil and criminal offences, their penalties and their mode of settlement are described as under.

1. CIVIL OFFENCE

Various civil disputes, such as any dispute over the land of *Jhum* cultivation, cases of dissolution of marriages etc. are settled in the council of the hamlet. The council decides every case and imposes only fine (*yoksam*) now-a-days.

Cases of dissolution of marriage are seriously viewed. An attempt is made first for reconciliation. If it fails, the case is tried, and fine is imposed on the person who offends.

On 21-10-84, on the basis of a verbal complaint lodged by Srimati Karamati Riang against her husband Khadoram Riang of the village Aksorgoan of South Tripura for dissolution of marriage on the ground of cruelty, the village council heard both the parties including one eyewitness and found the husband guilty of cruelty. The village council dissolved the marriage and the husband was fined Rs. 55/- which was wholly given to the wife as *Yoksom*. The case was disposed of in a single sitting.[5]

There are other civil offences, such as defamation, reproch, calumny etc., which are also considered as offence in the Riang customary laws.[6] When out of envy one speak mockingly of another's physical or intellectual defect or of his financial position and in that case, if the offended person lodges allegation to the village authority with proofs, then the latter will punish the offender with fine.

2. MINOR CRIMINAL OFFENCE

A. According to Riang customary law all acts, words and allurements which are generally used to tempt or seduce a girl are considered as offence. Such offences are as under :

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5. Interviewed Pancharam Riang on 7.11.94, *op. cit.*
6. Interviewed Bajuban Riang on 07.10.92, *op. cit.*

i) To speak amorous words to win over a girl,

ii) Beckoning a girl with hand,

iii) To invite by winking,

iv) To call by whistling or hissing,

v) To win over by caressing,

vi) Putting one's foot upon the toes of a girl.

If any person commits any such offence and if the victim girl/ woman complains with proofs, in that case the village *authority* takes up the case for trial in a meeting of the village council. The offender is given an opportunity of being heard. If the guilt is proved then the offender is fined and the fine amount varies with the facts and circumstances of each case.[7]

Here we find that there is uniformity between the Riang customary laws and the statutory provisions while dealing with the minor offences. Section 34 of the Police Act and Section 509 of the Indian Penal Code deal with those minor offences which provide for either imprisonment or fine for such offenders. Similarly section 354 of the Indian Penal Code provides for punishment for outraging modesty of any woman and the offender is sentenced to suffer imprisonment or fine or both as the court deems fit and proper.

The traditional Riangs believe that criminal assault on womanhood is a sin which disturb the harmony of law and order in the society and it incurs anger of the spirits.[8] As such any offence on womanhood is seriously viewed by the traditional Riangs.

Although there is no written code but unwritten convention is there so as to regulate the social life of the Riangs.

B. KAU DERAMO

Use of any offensive language willingly or unwillingly against

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7. *Loc. cit.*

8. Jainaram Riang of Tuikarma Para under Santirbazar Police Station of South Tripura, was interviewed on 09.11.94 at Santirbazar. At present, Shri Riang has been serving as Asstt. Teacher of Alloycharra Govt. High School.

any person is considered as social offence and it is called Kauderamo, [9] which may be classified under different heads :

I. An accomplice who is involved in any offence in word only but not in physical action, is to pay a fine of Rs. 5/-.

II. If any person uses any offensive language against another person or to malign speaks ill of someone without having sufficient proofs, the person who utters such words or uses offensive language shall have to pay fine of Rs. 5/-.

III. If any third person supports the offender in word only but not in action he is to pay a fine Rs. 5/-.

IV. Evil counsel is considered as a social offence. However, if the offender confesses his guilt and apologises before the village authority with one bottle of country liquor, in that case the offender is generally exonerated or fine amount is lessened.

C. AABOH SEHMO.

It means touching the breast of a woman without her consent and it is regarded as a social offence and crime.[10] The act of *aaboh sehmo* of a married woman or of a girl by a man other than the husband is considered to be a precursor of adultey. If such offence is proved in that case the offender is to pay a fine of Rs. 5/- and a bottle of country liquor to the *Chaudhury* of the village. If the victim is a married woman then the degree of offence is considered higher and accordingly it is dealt with.

D. YANG KAMO

It means if a man attempts to make love or amorous activities at night secretly with a female irrespective of married or unmarried and if he is caught redhanded in that case he is to pay a fine of Rs. 5/- and a bottle of country liquor to the *chaudhury* of the village.[11]

9. Interviewed Asamonjoy Riang on 14.08.93, *op. cit.*
10. *Loc cit.*
11. Ramprasad Riang. 55 years old of Tuikarma Para under Santirbazar Police Station of South Tripura, was interviewed on 08.11.94 at Santirbazar. Shri Riang is the present Chaudhury of Tuikarma Para.

E. HOR THANGMO

It means if a man attempts to commit illegal sexual activities with a woman by entering into her house at night and if it is detected, in that case the offender is to pay a fine to be imposed by the village council.[12]

F. RISI TOIMO

It means to suspect. If either of the spouse suspects another and if the suspecion is proved to be true in that case suspected partner is punished with fine. But if the suspecion is proved to be false then the person who suspects is to pay fine.[13]

G. KAUFI

It means to tell a lie. If any person tells a lie to other person and if that person sustains any loss for that falsehood, then it is considered as an offence. The offender is liable to pay fine which is called *Masumo*.[14]

3. SOCIAL PROHIBITIONS OR TABOO

There are some particular words and phrases prevalent in the Riang society so as to prevent any person from commission of any illegal or immoral acts.

A. FOR MALE

Yakh Srangkhe macha-lui srangkhe masu.[15]

The meaning of this proverb is that the more you use your sex, the more you run the risk of punishment.

B. FOR FEMALE

Sko tongrun-ya satlamaing.[16]

The more you keep open your sex, the more you will take the risk of giving birth of an illegitimate child.

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12. *Loc. cit.*
13. Interviewed Nilchandra Riang on 08.07.93, *op. cit.*
14. *Loc. cit.*
15. Interviewed Gamanjoy Riang on 08.11.93, *op. cit.*
16. *Loc. cit.*

These proverbs are so much powerful that a mere pronouncement is enough to restrain a Riang man or woman from committing any sexual offence. Over and above, the Riangs believe that commission of any offence is to incur the anger of the spirit.

Illicit relation between the father-in-law and daughter-in-law is strictly prohibited and is considered as a serious offence. The offender is sentenced to suffer physical punishment (to be discussed later on) as well as fine which varies from Rs. 100/- to Rs. 500/-. Similarly illicit relation among the relatives is also strictly prohibited and the offender is to pay fine.

If the wife of the younger brother intentionally or un-intentionally touchs the elder brother of her husband and if it is detected, in that case Rs. 5/- as *yoksom* and a bottle of country liquor are to be given to the village council by either of the party.[18]

4. MAJOR CRIMINAL OFFENCE

The great majority of the crimes or offences as prevalent in the Riang society are comparatively minor and the sentence is a fine which rarely exceeds twenty or twentyfive rupees. But there are some offences such as fornication, adultery etc. which are major offences in the Riang customary law and those are seriously viewed in the society.

A. FORNICATION (*MAMLA KHALAIMO*)

Fornication means voluntary sexul intercourse of the unmarried or when one of them is unmarried. In the past, if a bechelor or a spinster in ther Riang society committed fornication with another's wife or husband and if he or she was caught during the act, a heavy fine used to be imposed upon the offender.[19] However, if the offenders were not caught during the act of formation but their illicit

17. Surjya Kumar Riang, 50 years old, Kathalia charra under Santir Bazar Police Station of South Tripura was interviewed on 09.11.94 at Santirbazar. He is the son of Late Rajprasad Chaudhury, Ex-Minister of Tripura.
18. *Loc. cit.*
19. Interviewed Rambahadur Riang (Baila fa) on 8.11.94, *op. cit.*

relationship was proved with circumstantial evidence, they were tried by the village council and were punished with fine.[20]

1. BATTING BY PARENTS

This takes place when parents of a girl invite or encourge a boy to visit frequently their house and spend his time with their daughter. If afterwards fornication has taken place and the boy does not want to marry the girl and under such circumstances the boy and the parents of the girl must pay *yoksom* as per order of the village council and the victim girl is compensated.[21]

W. W. Hunter has observed that, "great freedom of intercourse is allowed between the sexes but a Tipperah girl is never known to go astray out of her own clan."[22]

During the field survey it has been observed by the present researcher that the present day Riang society also allow great freedom of intercourse between the sexes, but do not allow any bachelor or any spinster to go astray. If fornication takes place between a bachelor and a spinster and if it is detected, then they are tied up by a thread of wedlock. But if a bachelor commits fornication with another married woman or if a marrried man commits fornication with a spinster, then the offence and the offenders are seriously dealt with.

B. ADULTERY (*CHUNG CHING*)

In Riang dialect the term used for adultery is *chung ching*. The concept of adultery is love or sexual connection outside marriage between a married person and another of the opposite sex. Although adultery is very uncommon among the Riang but it is not altogether absent in the Riang society. In the eye of the Riang, adultery is an immoral act and it is treated as a punishable offence and the offenders have to pay the fine.

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20. *Loc. cit.*
21. Interviewed Bajuban Riang on 07.10.92, *op. cit.*
22. Hunter. W. W. *op. cit.*, p.484

Considering the garvity of the offence *chung ching* is classified under two categories :

i. *Kaumi chung ching*-(love without sexual relation) According to customary law in such case if the offence is proved, the male offender is to pay a fine of Rs. 7/- and the female offender Rs. 5/-.[23]

ii. *Chung ching katar*-(love with sexual relation)

In such case if the offence is proved, the male offender is to pay Rs. 60/- and the female offender Rs. 40/-.[24]

However, now-a-days there have been a considerable increase in the fine amount which varies from place to place. Adulterous man or woman has the right to initiate divorce proposal to the village authority. After divorce he/she can marry his/her paramour.

It is evident that there is similarity between the statutory provisions and the customary law as regard the offence of adultery. Section 497 of I. P. C. deal with the offence of adultery and the following essentials [25] are required so as to constitute the offence of adultery :

i. Sexual intercourse by a man with a woman who is and whom he knows or has reason to believe to be the wife of another man.

ii. Such sexual intercourse must be without the consent or connivance of the husband.

iii. Such sexual intercourse must not amount to rape.

Obviously unlike the offence of rape the consent of the woman is no impediment to the constitution of this offence and the wife is quite aware of the purpose for which she is quiting her husband and is an assenting party to it. It is evident that unlike the Riang customary law, in the statutory provisions, only the man who commits adultery with another's wife is punishable though the wife shall not

23. Interviewed Bajuban Riang on 07.10.92, *op. cit.*
24. *Loc. cit.*
25. Ratanlal & Dhirajlal's Law of Crimes, *Twenty third edition*, New Delhi, 1988, p.1934.

be punishable as an abettor.[26] But in Riang customary law both the adulterer and the adulteress are liable to punishment.

According to customary law as prevalent in the Riang society if the husband lodges complaint before the council of elders against his wife for committing adultery with another person, the council shall summon the parents or guardians of the woman and her adulterer. If the offence is proved a fine is imposed upon the adulterer.

The adulteress if eloped by her lover, is restored to her legal husband. If the council of elders fail to restore the eloped woman, in that event the husband is allowed to find out his wife (adulteress) and her paramour and also to produce them before the village council. On their production the council ask the adulteress whether she wants to remain with her lover or come back to her husband. In case she wants to stay with her paramour, she is to compensate her husband to the extent of the amount he spent during his marriage with her.[27]

Besides, the adulteress is to pay a fine of Rs. 30/- to the relatives of the father-in-law and a fine of Rs. 15/- to the relatives of the mother-in-law. Rs. 15/- to husband and an amont of Rs. 30/- to the council of elders. Reversely, the same fine is imposed on the husband who commits adultery with another woman.[28]

If the adulteress gets conceived during her stay with the adulterer and the child is born afterwards, in such case the child is absorbed in the community to which the woman belongs by performing certain rites. However, if divorce takes place as a result thereof, the child is justifiably considered as the descendant of the adulterer.[29]

C. RAPE

A man is said to have committed rape if he had sexual intercourse with a woman against her will or when she is a minor. If a man is

26. Cr. L. J., 1954, *Supreme Court*, p.886.
27. Interviewed Asamonjoy Riang on 14.08.93. *op. cit.*
28. *Loc. cit.*
29. Interviewed Dastaram Riang on 08.07.93, *op. cit.*

proved to have committed rape, he shall have to pay a fine of Rs. 60/ - to the victim girl. However, if rape is committed on a married woman, the offence is considered to be serious. In ancient times a man was driven out of the village for such an offence. Now-a-days a penalty is imposed according to the social status.[30]

D. In order to constitute theft, five factors are essential as provided under section 378 of I. P. C.[31]

i. Dishonest intention to take property,

ii. The property must be movable,

iii. It should be taken out of the possession of another person,

iv. It should be taken without the consent of that person,

v. There must be some removal of the property in order to accomplish the taking of it.

During field survey, it has been observed that regarding the offence of theft, the Riangs are guided by the law of the land. However, according to customary law no strict proof of all the factors, as stated above, is necessary to constitute the offence of theft. If theft is proved, the offender is punished with fine which varies from place to place and the stolen property is given back to the real owner. In case of theft, if detected, the offender is to pay the price of the stolen property or return the stolen property and in addition, the offender is to pay fine amounting to Rs. 50/- to Rs. 150/- to be imposed by the village council. The fine amount depends on the gravity of the offence and it varies from place to place.

The Riangs belive that adultery, molestation of woman, forcible marriage, etc. are immoral acts which pollute the society. To exonerate one-self from this deities, namely *Toibuma* and *Songruma* have to be worshipped for purification and *balarami* ritual is performed for expiation.

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30. Interviewed Ramadhar Riang on 30.09.92, *op. cit.*
31. Ratanlal Dhirajlal's Law of Crimes, *op. cit.*, p.1425.

During field survey judicial records, documents of suits/cases as regards the Riangs of Tripura which are kept preserved in different courts and District Record Room, Agartala, have been consulted by the present researcher. It has been observed that no case instituted by or against any Riang person as regards the offences such as fornication, adultery, rape or any other sexual offences, is pending or diposed of in any court of law in Tripura except cases pertaining to theft, decoity, kidnapping, murder etc. (A list of cases appended to Appendix No.1)

It appears from the recorded documents that the Riang community settle up most of the cases relating to social or sexual offences within the community itself. Only those cases which are reported to the police or being interferred by the investigating police, are brought to the court for disposal according to law. Evidently in respect of major offences, the village council does not take the risk and the matter is reffered to the police station.

It may be noted that the Riangs do not take the sexual offences including rape as serious and they settle up those offences themselves with the imposition of nominal fine only upon the offenders. But in other society, sexual offences are dealt with very seriously and tried by the law of the land. Whoever commits rape, may be punished with imprisonment for life and with fine (Section-376 I. P. C.).

5. THE PUNISHMENT OF CRIME

In the past, persons indulging in sorcery, adultery and anti-social activities of serious nature were either ostracised or publicly vilified. The offenders were taken out in a procession beating drums behind them or they were made to sit below a pigsty (*wowarao*) for having a wash in the water used by the *Chaudhury* in the pigsty.[32] In the past, social measures for premarital conception and incestuous relation was very stringent. The offenders were presented before the village council and at the bidding of the *Chaudhury*, the female

32. Interviewed Bajuban Riang on 07.10.92, *op. cit.*

offender was made to carry a cock (*Takhak*) in a basket (*Taukhouh*) and the male offender a drum (*Kham*) round the hamlet. The people coming to and fro would beat the drum and basket and spit on them.[33]

Now-a-days within the framework of Riang customary law, there is no scope for ostracism or any other form of social measure for the regulation of anti-social behaviour. At present the punishment that is inflicted for commission of any offence, is imposition of fine only.

A. OATH TAKING (*SMAITANGLAIMI*)

In the traditional Riang society while trying a case in the council, oathtaking in the name of deities to ascertain truth and guilt, also served as a mechanism. In the past, five procedures were normally adopted for the purpose.

I. *TAMKOIO SMAITOWMI*

In this procedure the deities were worshipped in the same conventional way and the priest spoiled the eyes of a cock with a stick or broke its leg with a view to fighting the accused.[34]

II. *MOTOIKOTORMA SMAITOWMI*

The deity was worshipped as usual with offerings and the accused then touched a pot and took the oath to the effect that if he had told lie, his family would be ruined. The priest invoked the deity and entreated her to punish the offender.[35]

III. *MAINOKMA RAME SMAITOWMI*

In this procedure, no deity was worshipped, but the accused took the oath holding gold, silver, copper and Tulsi (basil) leaf in his hand in the names of the sun and the Moon. The priest then asked certain questions which the accused had to answer.[36]

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33. Interviewed Gitya Kumar Riang on 10.11.92, *op. cit.*
34. Mukherjee. B., *op. cit.*, p.35.
35. *Loc. cit.*
36. *Loc. cit.*

IV. *SMAIKOTOR TONGLAIMI*

This procedure was more stringent. The disputants were led to a pond and asked to remain under water holding two bamboo poles as long as they could and the man who came up earlier was taken as guilty.[37]

V. *SMAISTE*

In this procedure deities worshipped as usual by the priest, and two cocks were sacrificed. The priest examined the entrails of the cocks and then pronounced the judgement.[38]

During field survey, it has been observed that although there have been some modifications in Smaitanglaimi to fit in with the changed circumstances, but it is still prevalent in the Riang Society. The present day Riang society still resorts to various ordeals as mechanism so as to ascertain truth and guilt and to detect the guilty.

It is stated by Bajuban Riang that the punishment of crime under Riang customary law may be classified in three periods i.e. the period of *Kaskau*, the period of *Rai* and the period since 1950's decade.[39]

Before the arrival of the Riangs to Tripura, they had an autocratic king *Kaskau*. Due to his oppression ultimately the Riangs submitted to the king Ratna Manikya who honoured them and nominated one of the Riangs as their chief and conferred on him the title *Rai*.[40]

The punishment of crime during the time of *Kaskau* was retaliative i. e. 'eye for an eye', 'tooth for tooth'. Besides, according to old customary law, if any person committed any offence in that case the victim was allowed to commit the same offence against the offender as a retaliation.[41]

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37. *Loc. cit.*
38. *Loc. cit.*
39. Interviewed Bajuban Riang on 07.10.92, *op. cit.*
40. Mukherjee. B., *op. cit.*, p.33
41. Interviewed Bajuban Riang on 07.10.92, *op. cit.*

During the period of *Rai*, the mode of punishment was changed and it was made somewhat reformative. Physical punishment turnned obsolete. Rai insisted on imposition of fine only upon the offenders.[42]

Since 1950s there was a notable change in the mode of punishment. Due to impact of modern politics and administrative machinery and with the growth of the influence of extenuating circumstances, the Riangs started showing their inclination to be guided by the law of the land. They began to realise that law of the land was more powerful and effective than that of their traditional customary laws and practices.

Owing to the disorganisation of the Riang political organisation and non-availability of facts, it is difficult to reconstruct this change-over regarding the mode of punishment historically in all completeness. But it may be stated that the authority which once exercised social control on the Riang community has waned and the present day Riangs insead of their age-old traditions are now prone to accept the new ideas and ways of life.

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42. *Loc. cit.*

CHAPTER-VII

CUSTOMARY LAWS AND PRACTICES OF PROPERTY

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1. LAWS RELATING TO LAND (KHET).

The term 'Property' denotes both movable and immovable. Movable property includes ornaments, livestock, artisan tools, wearing apparels etc. whereas immovable property means landed property. According to Riang Customary Laws and Usages, the title of all land (Khet) was regionally vested in the chief (*Kaskau*). The customary laws of the Lusai and some other tribes appear to be similar with that of the Riangs in this regard. Consequent on the Riangs' submission to the ruling dynasty of Tripura, namely the Maharaja of Tripura, the ultimate title of the land in the Riang areas passed on to the Maharaja and now by his successor in authority, the Government of Tripura. The right of an individual over his holding is in the nature of a possessory title which he enjoys perpetualy in case of land under permanent cultivation whereas in case of *jhum* land *Hoo*, the right of user is only for one year. (Details about *Jhum* land will be dealt with in the appropriate Chapter). He can dispose of his land under permanent cultivation in any manner he likes, in case of Jhum land he can transfer the standing crops only. House sites (*Para*) can also be transferred by sale or otherwise. Originally the Riangs were nomads, but subsequently majority of them settled down peranently in different parts of Tripura. In short the individual right over the land except *Jhum* land (*Hoo*) is transferable by sale, lease, mortgage or otherwise. The right is heritable according to the Costomary laws of Riang.[1]

The boundary of the individual holdings are demarcated by stones, earthen bounds, trees, streamlets and the like. These boundary lines are usual source of dispute among them. Such and other disputes concerning land in the olden days used to be settled by the *Chaudhury* and in case disputes were not settled, those were brought before the '*Rai*'. If the '*Rai*' also failed to resolve the dispute to the satisfaction of the parties concerned, the case used to be submitted to the Court

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1. Interviewed Bajuban Riang on 7-10-92 *Op. cit.*

of Maharaja.[2] Now-a-days such dispute is first of all brought before the *Chaudhury* of the village (*Para*) concerned and failing of which the dispute is brought before the regular court of law for adjudication[3].

For each holding of *Jhum* land an amount of Rs. 5/- used to be paid annually to the Maharaja of Tripura. For land under permanent cultivation, annual rent was paid@ 12 annas per Kani (40x48 yards).[4]

In 1931 and again in 1943 Maharaja Bir Bikram Kishore Manikya reserved certain areas of land for plough cultivation in certain areas of land for plough cultivation by certain hill tribes, namely Tripuris, Riangs, Jamatias, Noatias and Halams so that by resorting to improved patterns of cultivation, they might better their economic conditions. In 1943 the areas so reserved was 1950 sq. miles (1,95,000 Drones or 5050 Sq. K.M.). However, in 1974 the entire tribal reserves were abolished.[5]

In the year 1968, the Tripura Land Revenue and Land Reforms Act (T. L. R. & L. R. Act) of 1960 came into force which abolished all the old land tenures. Without going into detailed description of the provisions of the said Act, the provisions relevant for our purpose may now be referred to Section 12 of the said Act which declares that all lands which are not the property of any person are the property of the State.[6]

Further, Section 187 of the said Act impose restriction on the transfer of land from tribal to non-tribal. The said Section provides that no transfer of land by a tribal to a non-tribal would be valid unless it is made with prior permission of the Collector in writting.[7]

In the case of Hasula Riang and Shri Kabaljoy Riang of Belonia,

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2. Interviewed Bajuban Riang on 9-11-94 *Op. cit.*
3. *Loc. cit.*
4. Interviewed Bajuban Riang on 7-10-92 *Op. cit.*
5. Das, J. N. (ed), *Law research institute, Op. cit.* p.14
6. Law Department, Government of Tripura, *The Tripura Land Revenue and Land Reforms Act.* 1960, Agartala, 1979, p.7
7. Law Department, Government of Tripura, *Op. cit.* p.68.

South Tripura (both minors represented by their mother Smt. Hadaiti Riang, being natural guardian of the minors) Vs. Shri Amulya Mohan Roy and others, it was alleged that the provisions of Section 187 of T. L. R. & L. R. Act, 1960 was not complied with and the court accepted the contention of the plaintiff.[8]

The Tripura Land Tax Act, 1978 has fully suspended land revenue in respect of holding below 3 hectors. Further, the Tripura Tribal Areas Autonomous District Council Act. 1979 was enacted with a view to giving better protection to the tribals of the State in matters of land and allied matters.

Previously the Riangs were not acquainted with the concept of private property as the society was more or less egalitarian. It appears from records and documents that even today the predominant sections of the Riangs practise Jhum and the present TLR & LR Act is sillent regarding *Jhum* and *Jhum* land. Though *Jhum* is restricted today due to various reasons, still the Riangs adhere to their customary practices while cultivating *Jhum* land. As minority section of the Riangs have switched over to settled cultivation on Khas land (which were later on recorded as Jote land) and as the TLR & LR Act vests the entire Khas land on the State Government--there is virtually no apparent conflict between the age old customary rights and statutory provisions.

2. LAWS OF MINORITY AND GUARDIANSHIP

In dealing with the customary laws and practices of the Riang society, the question of minority right and guardianship sometimes complicate.

The need for special protection and safeguard to minors and infants has been one of the vital concerns in all societies, primitive as well as modern. Protection to the minors is given till they attain majority. The basis of guardianship is that which the law imposes incapacity of minors and also persons deficient in mental capacity

8. Gauhati High Court, Agartala Bench, Second Appeal No.1 of 1983, dated 2-6-1992 (unreported).

e.g. idiots and lunatics and the law imposes appointment of gurdian in the matter of looking after themselves or managing their property or entering into contract.[9]

For these reasons, there is the consequential necessity of entrusting the management of their affairs to the care of proper guardian. Before entering into the customary laws and practices of the Riangs, let us have an account of the statutory provisions as regards the minority and guardianship. There is no uniformity in the statutory provisions for the time being in force as laid down in various enactments regarding the age of minority. The Hindu Minority and guardianship Act, 1956 and Factories Act. 1875 provide that where a minor's guardian is appointed by the court of Wards or by a Court, he attains majority on the completion of his 21st year. Section 361 of Indian Penal Code provides that whoever takes or entices any minor under 16 years of age, if a male, or under 18 years of age, if a female, out of the keeping of the lawful guardian of such minor, without the consent of such guardian, is said to kidnap such minor from lawful guardianship.[10]

The term 'guardian' is defined to mean person having the care of the person of a minor or of his property or of both his person and property, and includes :

"1. A natural guardian.

2. A guardian appointed by the will of the father or mother.

3. A guardian appointed or declared by a Court.

4. A person empowered to act as such by or under any enactment relating to any court of Wards."[11]

The standard of deciding the period during which the incapacity to protect oneself and the cause thereof, namely, sex or age or failure of intellectual faculties may differ in different societies including tribal society. The custom of the Riangs to this effect is that a child,

9. Bhagobai Vs. Bhaiyalal, AIR, 1957, M. P., p.29.
10. Khera, R. C. *Criminal Major Act.* Delhi, 1987, p.111.
11. Rathak, D. *Hindu Law and its constitutional aspects* (4th edition), Delhi, 1986, p.186.

whether male or female, is treated as a minor upto the age of 12 to 14 years. But old Riang people hold different view as regards minority. To them a person is deemed to be minor untill and unless he becomes capable of *Jhum* cultivation.[12]

During field survey it is observed that the statutory provisions as regards the age of minority does not play any important part in the Riang society.

Father is the natural guardian of a minor male or female child. On the death of the father the widow mother becomes the natural guardian. But sometimes it happens that during the life time of the father, the mother becomes the natural guardian.[13] However, in certain areas the widowed mother is excluded.

If both the parents are dead, the eldest brother if major becomes the natural guardian of the the minor and in his absence the nearest relative in the father's line (*Sandai*) acts as the guardian, failing which any nearest relative in the mother's line (*Hakchu*) may be a natural guardian.

In the absence of any natural guardian, the man (*Chaudhury*) of the village with the assistance of the village elders usually select an able person from the father's dafa and appoint him the guardian of the minor. Such appointed guardian takes over the responsibility for the safe custody of the minor and also the management of the minor's property. After the father's death the custody and security of the minor's person and the management of the minor's property automatically pass on to the natural guardian and in the absence of any natural guardian to the appointed guardian.[14]

Guardianship of an illegitimate minor child vests in the mother of the child. The guardian is responsible for the protection of the minor's

12. Tirtha Chanda Riang, 80 years old, Sadhu Chandra Riang Chaudhury Para, P. S. Fatikroy of North Tripura, was interviewed on 7-9-93 at Sadhu Chandra Riang Chaudhury Para.
13. Gauhati High Court, Agartala Bench 2nd Appeal No-1 of 1983 (Un-reported). *Op. cit.*
14. Interviewed Tirtha Chandra Riang on 7-9-93. *Op. cit.*

property and also management of the latter. On the death of the father, his eldest son, if adult, becomes the guardian to the exclusion of the widowed mother. In case of all the minor male children, the eldest one, as soon as he attains majority, takes over the guardianship of the minor from the widowed mother or from the near relative of the *Sandai* or *Hakchu* group, as the case may be, who acts as the guardian during the interim period.

The guardianship of a minor child on adoption passes from its natural father to its adopted father. Change of religion of the guardian does not entail loss of the right of guardianship of the person or property of minor nor the conversion of the child to another religion entails loss of right of guardianship of the parents or other. A guardian is competent to alienate the property of the minor by sale, mortgage or otherwise, provided it is for the benefit of the minor. The customary right to guardianship can not be taken away by any act of the father.[15]

3. LAWS OF MAINTENANCE (*YAMOING*)

In the legal parlance the term 'maintenance' means the provision of reasonable food, shelter and clothing. In case of an unmarried daughter, it also includes the reasonable expenses of and incidentals to her marriage.[16] A right to receive an allowance is not strictly speaking a right to maintenance although an allowance may be paid in lieu of a right of maintenance of a person. If any person has a right of maintenance, he may accept an allowance in lieu of her/his right so as to provide himself/herself with those necessities.[17]

The liability of a person to maintain others depends on two general principles. In some cases it arises from the mere relationship between the parties and in other cases it depends in the incidence of possession of property. A person is under an obligation to maintain his wife, minor sons, unmarried daughters and aged parents whether

15. *Loc. cit.*
16. Nanak Chandra Banarasi Das vs Chandra Kishore, A. I. R. 1969, Delhi. p.235 (relevent page 245).
17. Sir Hari Sing Gour's *Transfer of property Act*, 8th Edition, Vol.I, 1971, p. [illegible]

he possesses property or not. Such obligation is personal in character and arises from the existence of the relation between the parties. The conduct of the Riangs of Tripura relating to maintenance, is guided in some form or other by those general principles.

Section 125 of the Code of Criminal Procedure, 1973 provides that if a person having sufficient means neglects or refuses to maintain his wife, minor children, father or mother who are unable to maintain themselves and upon proof of such neglect or refusal, a Magistrate of the First Class may order such person to make a monthly allowance for the maintenance of his wife or such child, father or mother at such monthly rate not exceeding five hundred rupees for one person in the whole.[18]

In the light of the above, let us now examine the prevailing Riang customary practices relating to the maintenance. The head of the Riang family is under an obligation to maintain all the male and female members of the family. In the event of death of any male member of the family, it is obligatory on the part of the head of the family to maintain the widow and children of the deceased member. This obligation arises from the family bond. But Bajuban Riang and some others hold that there is no obligation to maintain wife, children or parents. Nevertheless every Riangs person feels it his moral duty and no one fails to obey such duty.[19]

One who inherits his father's property is bound to maintain his sisters till they get married and his widowed mother and the members of the family who were depended on his father during his life time for maintance.

Tarani Riang of Birchandra Manu of South Tripura, being the eldest son inherited the property of his deceased father Birbabu Riang. He had to maintain his widowed mother, minor brother and three minor sisters. Besides, he had to arrange for the marriage of his sisters in co-operation with his mother and younger brother.[20]

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18. Basu, *Durga Das Criminal procedure code* 1973, New Delhi 1979, p.332.
19. Interview Bajuban Riang on 7-10-92, *Op. cit.*
20. Interviewed Ramadhar Riang on 30-9-92, *Op. cit.*

An adopted son inheriting the adopted father's property is also responsible for the maintenance of all members of the adoptive family. A father-in-law is under obligation to maintain his destitute daughter-in-law until she re-marriages or willingly goes back to her parent's house. It is obligatory on the part of a father to maintain his minor sons, unmarried daughters and his wife and on his death they are entitled to be maintained out of his estate. A grand-father who survives his son, is under a moral obligation to maintain his grand children after the death of his son till the grand-son attains adulthood and the grand-daughter gets married.

Generally a son feels it his normal duty to maintain his old parents, if they are unable to maintain themselves. The Riangs are having a patriarchal society and it is obligatory on the part of a wife to submit herself to her husband's authority and to remain under his roof and protection. In certain special circumstances, she can claim separate residence and maintenance by her husband, such as desertion for a long period, cruelty, virulent type of contagious diseases like leprosy, vereral disease, unsoundness of mind, habitual sexual intercourse with other woman and the like. If a wife resides separately on any of the aforesaid ground, the wife is entitled to maintenance from her husband and the amount of maintenance is fixed by mutual agreement between the husband and the wife.[21]

In conformity with the statutory provisions, it is prevalent in the Riang society that if a person having sufficient means, neglects or refuses to maintain his wife or his minor children, or parents unable to maintain his wife or his minor children, or parents unable to maintain themselves, the Village Authority may compel him to maintain his wife or parents or children, whatever the case may be, taking into consideraton the property etc. and the standard of living.

4. LAWS OF INHERITANCE AND SUCCESSION

In common parlance both the terms inheritance and succession connote almost same meaning. But in sociological literature, the term inheritance is applied to connote the transmission of properties, cor-

21. Interviewed Gitya Kumar Riang on 10-11-92, *Op. cit.*

poral or incorporal, from one generation to another, or from an individual to another, while the term succession connotes transmission of an office--political, social or cultural from an individual to another whether of different generation level or of the same.

Before entering into the discussion on Riang customary laws and practices relating to inheritance the statutory provisions so far as relevant for our purpose may now be reproduced. Section 8 of the Hindu Succession act, 1956 provides that the property of a male Hindu dying intestate shall devolve :

a. Firstly, upon the heirs, being the relatives specified in Class-I of the Schedule.[22]

b. Secondly, if there is no heir of Class-I, then upon the heirs, being the relatives specified in Class-II of the Schedule ;

c. Thirdly, if there is no heir of any of the two classes then upon the 'agnates' [23] of the deceased ;

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22. The Schedule : (Section 8 of Hindu Succession Act, 1956)
HEIRS IN CLASS I & CLASS II
Son, daughter, widow, mother, son of pre-deceased son, daughter of pre-deceased son, son of a pre-deceased son, daughter of predeceased son, son of a pre-deceased daughter, daughter of a pre-deceased daughter, widow of a pre-deceased son, son of a pre-deceased son of a pre-deceased son, daughter of a pre-deceased son, daughter of a pre-deceased son of a pre-deceased son.
CLASS-II
1) father ;
2) i. son's daughter's son, ii. son's daughter's daughter, iii. brother, iv. sister ;
3) i. daughter's son's son, ii. daughter's son's daughter, iii. daughter's daughter's son, iv. daughter's daughter's daughter ;
4) i. brother's son, ii. sister's son, iii. brother's daughter, iv. sister's daughter ;
5) father's father, father's mother ;
6) father's widow, brother's widow ;
7) father's brother, father's sister ;
8) mother's father, mother's mother ;
9) mother's brother, mother's sister ;
23. "Agnate"--one person is said to be an "agnate" of another, if the two are related by blood or adoption wholly through males [section 3 (1) (A) of *Hindu succession Act*. 1956]

d. Lastly, if there is no 'agnates' then upon the 'cognates'[24] of the deceased.[25]

Section 15 of the Hindu Succession Act, 1956 states that the property of a female Hindu dying intestate shall devolve :

a. Firstly, upon sons and daughters (including the children of any predeceased son or daughter) and the husband ,

b. Secondly, upon the heirs of the husband ;

c. Thirdly, upon the mother and father ;

d. Fourthly, upon the heirs of the father ; and

e. Lastly, upon the heirs of the mother.[26]

For better appreciation of the customary laws and practices prevailing in the Riang society, now let us caste a glance to the Riang Kinship system. The fundamental principle of the Riang kinship system is embodied in the two concepts--*Sandai* and *Hokchu* which broadly refer to agnates and affines only. They are explained in the native expression as *buthithahani erungtungha bududu haphani* (they are of the same blood and same tree) and *Hokchuthaha kailaimi* (those who could be married). The *sandai* functions as a lineage within a clan or sub-clan. On the other hand, the concept of *Hakchu* includes some of the relatives on the father's side and most of the relatives of the mother's side, who are affinal kin in the general sense.

Relatives classified as *Sandai* and *Hokchu* are shown below in different generations (*brem*) :

24. "Congnate"--one person is said to be a "cognate" of another if the two are related by blood or adoption but not wholly through males [section 3 (1) (c) of *Hindu succession Act*, 1956].
25. *Manual of central Act and important rules*, vol. VIII, Delhi, 1984, p.6.
26. *Ibid*.p.9.

TABLE NO.-9

RELATIVES CLASSIFIED AS SANDAI[27]

GENERATION		SANDAI
ACHU SONGBREM	:	Father's father and his brother
APA SONGBREM	:	Father, his brother and sister (unmarried) and the children
ACHAIMO	:	Ego and his brother and sister, the children of the father's brother and the grand children of the father's father's brother.
SRAMMO	:	Children of ego and his brother and the grand-children of ego's father's brother

TABLE NO.-10

RELATIVES CLASSIFIED AS HOKCHU[28]

GENERATION	HOKCHU
ACHOI SANGBREM	Mother's father, father's mother, mother's mother, father's sister.
AMO SONGBREM	Mother, her sister and brother and her sister's husband, father's sister (married) and her husband, father's brother's wife and mother's brother's wife.
HOKCHU ACHAIMO	Wife's brother's wife, sister's husband, wife's brother, the children of mother's brother and her sister and father's sister.
HOKCHU SRAMMO	Children of sister and Grand-children of mother's brother, mother's sister and father's sister..

27. Mukherjee. B., *Op. cit.*
28. *Loc. cit.*

Generally, the notions of inheritance and succession pre-supposes the notions of possessory rights and the right of passing of an office by an incumbent to another after vacation whether due to death or lapse of the tenure. Transmission of the properties and office is governed by certain rules and procedures, which, in their turn, takes shape in tune with the traditional norms and practices as well as the socio-cultural ethos of the group concerned. Alienation or disposal of private and public properties is circumscribed by certain rules just as transmission of an office regulated by a set of rules. Property may be either heriditarily owned or self-acquired through personal efforts. Heriditarily owned or individually owned property calls for certain rules and procedures for its retention as well as for its transmission after the possessor's death or during life time if one so chooses.

The vexed problem of male of female inheritance is, again, a cumulative effect of socio-cultural millieu. Female folk in a male dominated society, per contra, females are preferred to the exclusion of the male folk. The fact remains nonetheless, that in acquiring the family property, co-operation of members of both the sexes is essential not to speak of co-operation of the children or the aged. But mostly due to the prevailing socio-cultural ethos, still any one of the sexes is given preference in this matter.

Inheritance is inextricably linked with the nature or form of the property. Certain food materials procured from the wilderness for consumption or sale are considered as purely private property of the collector and the members of his/her family. But those food materials before collection, happened to be public property which any member of the group could have freely collected. *Jhum* land of the traditional Jhumias is communally owened. On the contrary the same *Jhum* plots if covered with plantations of fruit bearing plants or trees turn out to be individually possessed parcel of land which none likes to dispute.

The notion of descent determines the mode of inheritance and transmission of property in such a society of Jhuming or paddy cultivators. Descent, however, may be unilateral, bilateral or ambi-

lateral. Again the mode of residence, practiced by an ethnocultural group may either qualify or disqualify an individual in the sphere of ownership of properties. In other words, a qualifed inheritor or inheritrix must be the issue of a socially and legally valid union. Generally speaking, illegitimate children are deprived of belonging to the descent-line of the putative progenitor or the begetress.

Constiuents of property among the Riangs are homestead and cultivable land, house, household articles, cattle, utensils, furniture, dress, ornaments, agricultural implements, domestic animals, poultry, products of agriculture, handicrafts etc. Each household is the property owning unit, but the proprietory right vests in the head of the family, who is invariably a male member. Some scholars such as S. M. H. Rizvi and Shibani Roy hold the view 'Descent among the Riang is patrilineal and the residence viri-local, the sons alone, inherit the property. Inspite of a greater contribution of female members of household in its economic pursuits, the women do not inherit any property. However, the married women have their own personal property in the form or ornaments and dress. Such property is inherited exclusively by the daughters after mother's death."[29]

But during field study, it is observed that the concept of inheritance prevailing among the Riang sounds paradoxical. According to some elites of the Riang community such as Bajuban Riang and some others that in the olden days there was no such written or unwritten code in respect of inheritance of property, but it was guided by general agreement among the heirs. Modern Riang society is being guided by the prescribed laws of the country.[30]

In this connection attention may be dawn to the statutory provitions of Section 2 (2) of the Hindu Succession Act, 1956 which clearly states that nothing contained in this Act shall apply to the members of any Scheduled Tribe within the meaning of clause 25 of Art, 366 of the Constitution of India unless the Central Government,

29. Roy Shibani. Rizvi S.M.H. *Tribal customary laws of North East India*, Delhi. 1990, p.100
30. Interviewed Bajuban Riang on 7-10-92, *Op. cit.*

by Notification in the official Gazettee, otherwise directs. [31] However, the tribes of Tripura including the Riangs may resort to the provisions of Indian Succession Act, 1956 subject to some restrictions imposed by the Act itself. It is observed that the modern Riangs are more inclined to take resort to the Court of law in matters of Succession etc. It reveals from the case No. Misc. 10/1989 (Succession Certificate), in the Court of Munsiff, Dharmanagar, North Tripura, that Smt. Santirung Riang, W/o. Late Mongaljoy Riang Chaudhury of Kukinala (Juri R. F.), P. S. Panisagar, Sub-Division-Dharmanagar, North Tripura, along with her five sons and two daughters filed a petition on 10.05.1989 u/s. 372 of the Indian Succession Act for granting a Succession Certificate in their favour. Gist of the case is that Mongaljoy Riang Chaudhury died on 17.03.1989 leaving behind the petitioners such as his widow, five sons and two daughters as legal heirs. The Munsiff being satisfied issued the Succession Certificate as per prayer on 17.06.1989. [32]

It transpires from the above cited case that a widow and daughters may also inherit the property of the deceased husband or father as the case may be. But in the opinion of some old rural Riang folk a widow has no right to inherit her husband's property even if the couple were not blessed with any issue. Further, as member of a family unit female can equally enjoy the fruits of property utilisation but carry no conventional authority to hold rights of possession, disposal or alientation.[33]

Interview with Riang persons reveal that a Section of the Community hold the view that Riang society is patrilineal and the female do not have any right to inheritance particularly of paternal property. According to them the rule of equigeniture, i.e., equal inheritance of property by all of the sons is followed, wherein the eldest married son inherits the house while the furniture utensils and other house-

31. Hindu Succession Act. 1956 (Act No.30 of 1956) Section 2 (2).
32. Case no. Misc 10 of 1989 (Succession Certificate) in the court of Ld. Munsiff, Dharmanagar, North Tripura, Judicial Record Room, Agartala, Tripura West.
33. Ganga Chandra Riang, 84 years old, Sadhu Chandra Riang Chaudhury Para under Fatikroy Police Station of North Tripura was Interviewed on 5-5-92 at Sadhu Chandra Riang Chaudhury Para.

hold articles are shared by all sons. There being followed neither the principles of primogeniture nor that of ultimogeniture. The younger brothers establish themselves separately after marriage. In the absence of the father elder brothers help the younger ones in constructing new living houses for indivuals as separate establishment. Unmarried brothers and sisters are maintained by married brothers out of the parental estates. Their marriage expense too are borne by the married brothers in the absence of the father. Bride price or groom service is equally shared by the brothers in the absence of their father.

During his life time the father enjoys absolute possessory rights over his properties. The sons inherit only after his death to the exclusion of their widowed mother. During a father's life time his sons cannot claim division of parental properties unless the father voluntarily distributes share or shares to his separating sons. Any property acquired by the son or daughter or the wife belong to the common pool of the family of which the head of the family is the absolute owner.

Shri Tarani Riang of Birchandra Manu under Belonia Sub-Division of South Tripura lost his father when he was twenty one years of age. He was the eldest son among two sons and three daughters of his father. His widowed mother Smti. Urati Riang did not inherit properties of her deceased husband. But she had the right of being maintained out of her husband's estate. Tarani's father happened to be a share croper in respect of five *kanis* of land owned by Shri Jatindra Munda of Belonia, as he had no arable land except his homestead plot. The right of share cropping on the five kanis of land cultivated by his deceased father passed on his sons only who equally shared it after their separation. Tarani's widowed mother lived with him and he had to arrange for the marriage of his sisters in cooperation with his mother and younger brother. The two brothers separated, after ten years of their marriage. Till then they had been living jointly with their widowed mother and three unmarried sisters. Following the rule of equigeniture they equally shared the paternal homestead land, the household properties, cattle, utensils, furniture etc., to the exclusion of the mother and the sisters. Tarani

Riang being the eldest son did not got the lion's share although he had to be guardian of all the dependent members of the family. Further, cash money left by the deceased father did not pass on to the surviving widow and the daughters but the widowed mother's ornaments, cloths etc. were equally shared by her daughters after her death.[34]

During field survey it is unanimously held by most of the Riang persons that among the Riangs the rules of inheritance do not discriminate between an idle son and a son who works hard and who shoulders the responsibility of managing the affairs of the family irrespective of other brother's contribution to the total wealth of the family under the supervising father's guidance. Besides, physically or mentally defective inheritors are not deprived of their rightful shares. In no circumstances, such as marriage contracted with a person of the prohibited degrees after its regularisation through expiation ceremony, misconduct or conversion to a different religion or failure to perform the traditional religious ceremonies or rites, can a bonafied inheritor be deprived of the usual inheritance as the same grounds are not legally valid to disqualify a son or a brother.

The nearest male agnatic relative has the right to inherit properties under such circumstances. In any case the nearer the degree of relationship, the better the claims for inheritance. According to some old Riang persons like Gonga Chandra Riang, an octogenerian of Sadhuchandra Riang Chaudhury Para of North Tripura and some others that in any event, inheritance must be confined to the *Sandai* group of relatives. But Bajuban Riang and some others hold a different view. According to Shri Riang *Sandai* tradition has been discontinued and the system was over during the period of 1940-1950 A. D. The adopted sons share equally with other son or sons of the adopting couple. A resident son-in-law can not inherit the property of his father-in-law even if the couple having no son to inherit. Descent, inheritance, succession and residence appear to be strictly on the father's side.[35]

34. Interviewed Ramadhar Riang on 30-9-92, *Op.cit.*
35. Interviewed Ganga Chandra Riang on 5-5-92, *Op. cit.*

Transition from the age-old practice of Jhum cultivation to that of settled cultivation has brought out certain changes in the right of inheritance and other customary norms. The system of inheritance of the Jamatias, Noatias, Kuki group and Riangs are more or less similar. The Hindu Succession Act, 1956 is not applicabale in tribal areas but the spirit of the uncodified Hindu Laws seems to have influenced the Riang tribe also.

B. SUCCESSION

It has been discussed earlier that the term 'Succession' connotes transmission of an office held by a person to another, irrespective of generational difference. Succession may be classified under two heads; Vertical Succession--when transmission of an office is made from father to son : and Parallel Succession--if such transmission passes on from elder brother to the younger one.

The Riang Society had its own chief who was an important personality in the community. The chief played a very vital role in their socio-cultural life. He was responsible for the general welfare of the community and was supposed to be associated with ancestral world, and the blessing of the ancestors were sought by him for the benefit of the villagers.

The Chief or *Rai* was choosen by the representatives of the Riang community in *Saia*. Admission of any official to *Saia* was only possible through the performance of U-Sambagra ritual and payment of money for the ritual to the members of the council. Functionaries could move up in vertical order when any vacancy occured. The office that fell vacant had to be filled in by a new recruit who must be a *Sandai* of the deceased offical. [36] Generally none of the posts of the Chiefs is heriditary, of course, succession was heriditary only in the sense that the selection was confined to the same *Sandai* group but not necessarily by the deceased's son. It was open for any suitable person of the *Sandai* to be collectively selected by the members of the *Sandai*. The chieftainship was not associated with any clan usage or heriditary notion.[37]

36. Mukherjee. B., *Op. cit.* p.37.
37. *Ibid*, p.38.

After the death of the father, the headship of the family smoothly passes on the eldest son. The authority of the father during his life time, as the head of the family, is indispensable. After the death of the father, the widowed mother may be the guardian of the minor sons but she is never treated as the head of the family. Women-folk are not entitled to hold any office and it is only the prerogative of the male folk.

Due to the breakdown of the council of the Chief the association between the clan and the political system has broken down. Clan has no representatives who can organize the clansmen and instill in them the sprit of solidarity through the performance of clan ritual. The old political organisation, or the kinds of social structure which they had built up in the past, is being rapidly moulded by the demands of the new.

5. WILL

In legal parlence 'Will' is defined as a disposition or declaration by which the person making it (who is called the testator) provides for the distribution or administration of property after his death. It does not take effect until the testator's death and is always revocable by him.

Transfer of property by a deed of will was not the practice of the Riang in the traditional past. But in the mordern Riang Society it is in practice.[38] Now-a-days due to acculturation in the Riang Society, sometimes property is bequeathed by a Deed of Will, particularly among the educated section of the people.

Any adult Riang person who is owning any property may make a will in respect of the whole of his property or any part thereof in favour of any other person, male or female.[39] In old days, will used to be executed verbally but at present the educated section of the Riangs are inclined to a written one. A female also can bequeath her self-acquired or personal property by will even without the consent

38. Interviewed Pancharam Riang on 7-11-94, *Op. cit.*
39. Interviewed Dastaram Riang on 8-7-93, *Op. cit.*

of her husband, if living. A will can be revoked or altered by the testator at any time during his life time. There is a practice among the Riangs to bequeath land with standing crop to the Son-in-law which is called khlombakmi.

KHLOMBAKMI

The concept of will prevailing in the present Riang Society was not in vogue in the traditional Riang customary practice. But the modern Riangs are inclined to be guided by the statutory provisions of law of the land. In fact there is no variation in the prevailing customary practice relating to will from the statutory provisions.

6. GIFT (*MOKMOI*)

The Riang society is patrilineal. Gift 'Intervivos' is recognised in the Riang Society. According to the Riang Customary Laws and practices, the father being the head of the family, is the real owner of the property, as is put in the common family property. The father during his life time being absolute owner of all family property, whether self-acquired for ancestral or acquired by any other member of the family and added to the family property, possesses unrestricted right to dispose of all or any such property by way of gift or otherwise. One Agarrai Riang of Laxmi cherra under Belonia Sub-Division, South Tripura out of his total land measuring 44.80 acres gifted land measuring 8.40 acres in favour of his three sons and three daughters.[40]

A female member of the Riang family is also competent to make a gift of her personal property namely, personal ornaments, received from her parents at the time of her marriage or afterwards but except those received from the husband's side at the time of her marriage, even without the consent of her husband.[41]

Like many other tribes of North Eastern India the essential elements of a gift under the provisions of the Transfer of property Act,

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40. Das J. N. (ed). *Op. cit.* p.68
41. Interviewed Tirtha Chandra Riang on 7-9-93, *Op. cit.*

1882 are not essential for a valid gift under the Riang customary laws and usages. Here it is better to cast our glance at the legal provisions for the time being in force, as regards gift.

Section 122 of the Transfer of Property Act, 1882 provides that the essential elements of a valid gift are :

1. a transfer of a certain existing movable or immovable property ;

2. made voluntarily ;

3. without consideration ;

4. by any person, called the donor ;

5. to another person, called the donee ;

6. acceptance by or on behalf of the donee ; and

7. made during the life of the donor and while he is still capable of giving.

If the donees dies before acceptance, the gift is void.[42]

Interview with many Riang persons brought to light the fact that most of the essential elements of a valid gift remain apparently present while making a gift of any movable or immovable property under the Riang customary laws and usages. But mere acceptance is not enough. Physical delivery of possession/corpus of the gifted articles or property is necessary to constitute a valid gift under the prevailing customs. Another variation from the statutory provisions may be noted that under the customary laws gift once made can not be revoked whereas Section 126 of the Transfer of Property Act provides that under certain special circumstances gift may be revoked or suspended. However, in conformity with the statutory provisions, in Riang customary Laws a minor is not competent to make a valid gift of anything worth value.

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42. Dwivedi S. N., *S. Row's Transfer of property Act Vol.2*, Allahabad, 1992. p.1934.

Regarding differences between the Riangs and other North Eastern tribes in this respect, we should point out that in Arunachal Pradesh, Mizoram, Nagaland and Meghalaya the transfer of Property Act, 1882 is not-holding the field whereas it has been extended to the whole of Tripura including the tribal areas thereof. So in the former, the tribal customary Laws and usages in respect of Transfer of property including gift have full play but in case of the tribal communities of Tripura, the customary Laws and usages of the tribes have more or less, been replaced in actual practice by the provisions of the Act and as such a gift by a Riang is now-a-days regulated by the statutory provisions instead of the procedure under local custom of the olden days. In any case, the essence of the gift appears to be almost the same in both the situation.

During interview with many Riang people including big wigs of the community, it has been observed that the modern Riangs are more inclined to have resort to the court of law so as to enforce gift etc. and it is evident from the court case of Smt. Hadaiti Riang.[43]

7. DEBT (*Lakai*)

A debt is that which is due from one person to another, whether money, goods or services, that which one person is bound to pay to another or to perform for his benefit, things owned; obligation, liablity (Webster's Dictionary).[44]

The essential requistes of a valid debt are :

1. an ascertained or readily calculable amount ;

2. an absolute unqualified and present liability in regard to that amount with the obligation to pay forth with or in future within a time certain ; and

3. the obligation must have accrued and must be subsisting and should not be that which is merely accruing.[45]

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43. Title Suit No. 25 (2) of 1979 A.D. Hasula Riang and others vs. Amullya Mohan Roy and another.
44. Venkatramaiya's Law Lexicon. Vol.II. Allahabad, 1971, p.302.
45. Commissioner of Wealth Tax. Madras vs. Pierce Leslie & company Ltc. A. I. R. 1963, Madras. p.356 (Relevant page.357).

In the light of the statutory provisions now let us have a look to the Riang customary laws and practices relating to debt. In the Riang society, it is pious--obligation of an heir to pay the debts of the ancestor. It is the common belief of the Riang that it is a moral duty on the part of the heir to make repayment of debts of the ancestor, so as to receive blessings of them. They also believe that failure to redeem the debts and liabilities of an ancestor may entail evil consequences on the heir and his family. Under the statutory provisions the legal heir is held liable to repay the debt if the property of the deceased ancestor devolves upon him. But to the Riangs it has no relation to the quantum of assets/property the heir has inherited or not from the ancestor in question. Such obligation continues from generation to generation till it is fully discharged.

If the heir who has inherited property/assets sufficient to any liability of deceased ancestor in cash or in kind and willfully avails repayment of debt of his deceased ancestor ; in that event the matter may be moved before the village elders by the creditor or by anybody for and behalf of the creditor. The village elders after proper enquiry being satisfied about the genuineness of the claim, may compel the heir or heirs to liquidate the debt and if necessary by taking coercive measures like realising the assets inherited from the deceased ancestor in question for satisfaction of the demand of the creditor.

Generally the liability of the heir-apparent to pay the debts of the ancestor arises only after the death of the ancestor. But the Riang customs enjoin the heir apparent that he may, even during the life time of the ancestor, pay the debt on behalf of the debtor. There is no customary rule which permits automatic liquidation of the ancestral debt with passing of a particular generation after lapse of time and as such law of limitation has no application in Riang customary practice. The daughters of a deceased person have got no liability to pay the debts of their parents. But a widow is under moral obligation to pay the debts of her deceased husband during the minority of the children. Such liability devolves upon the male child if any as soon as he attains his majority.

Now-a-days, the modern educated Riangs are more inclined to take resort to the court of law for the purpose of liquidation of debts etc. Smti. Santirung Riang of Kukinala under Dharmanagar Sub-Division of North Tripura applied for granting a succession certificate on behalf of her minor sons and daughters and herself being the legal heirs of her deceased husband, late Mangaljoy Riang before the Munsiff, Dharmanagar.[46]

8. SALE (*FAM*)

Statutory connotation regarding sale applies mutatis mutandis under the tribal customs and usages of the Riangs. Under the customs and usages of the Riangs any property can be sold by its rightful owner to anybody whether he is a Riang or not. Physical possession of the object of sale is a prerequisite for a valid sale. One or two witnesses are also necessary. This will be evident from the sale receipt issued by Ananda Riang.[47] As regards sale of immovable property, the case of Smti. Khandabati Riang may be reffered to.[48]

The head of the family is competent to sell any family property strictly in conformity with the statutory provisions. Minor in Riang community is not competent to sell property. Any family member can sell movable ordinary property such as radio set, watch and the

46. Case No. Misc 10 of 1989 (Succession Certificate) in the court of Munsiff, Dharmanagar, North Tripura, District Record Room, Agartala, West Tripura. The schedule of the debt given in the prayer is as follows : "Reinvestment Certificate in the name of Mangaljoy Riang Chaudhury in Tripura Gramin Bank, Panisagar Branch, P. O.-Panisagar, Sub-Division-Dharmanagar, District-North Tripura. Certificate No.-A.001089, Account No. RIP-36 for Rs. 9,000/- (Rupees nine thousand) only with up-to-date interest, if any the amount deposited by Mangaljoy Riang Chaudhury."

47. From the sale receipt issued by one Annanda Riang, S/o Late Shalukroy Riang of Ramkrishnapur Coloney under Teliamura Police Station of Khowai Sub-Division, Tripura West, it appears that Annanda Riang sold out his two bulls and one pragnent cow to one Kanailal Das, S/o Kshetramohan Das under Teliamura Police Station for Rs. 300/- only. One Abhiram Riang Chaudhury of Atharamura and another Sudhangshu Chaudhury put their signatures on the sale receipt being the witness of the sale transaction.

48. Suit No. T. S. 4 of 1974 decreed on compromise on 03-03-72 in the Court of Munsiff, Dharmanagar, North Tripura, District Record Room, Agartala, West Tripura.

like. A famale member of the family can also sell any small article which is her personal property. A sale can be effected by making payment either in cash or in kind or in both as may be agreed upon by and between the seller and the buyer. Price is generally determined by negotiation between the seller and the buyer. However, a third person may also act as a go-between. Only the owner but no other person, can sell any property. A partner cannot have a preferential claim to purchase a co-share's property.[49]

9. LEASE

The traditional method of temporary transfer of property has under gone changes with social changes from time to time as result of which a person may acquire right in suprsession of the traditional right of other person or persons. Such changes have taken place in Riang areas of Tripura.

The various essentials of all lease under the statutory provisions are not necessary requirment under the tribal customary laws and usages for transaction in a tribal society. In the Riang community of Tripura owners of land/house premises allow others to occupy or use temporarily or for an indefinite period. Their land/house may be leased out for cultivation and residential or other purposes by agreement which is accompanied by delivery of physical possession of the land or house as the case may be by the owner. The person or persons occupying the land/house pay therefore such cash or crops or render service to the owner as may be agreed upon by and between the parties. Generally a lease for cultivable land is seasonal while that for house premises may be periodical or perpetual. The lease is not allowed to transfer his lease-hold to another person by way of sub-lease or mortgage or otherwise. He may, however, do so in special cases with permission of the lessor.[50]

Although various essentials of a lease under the statutory provisions are not necessary so as to constitute a lease under Riang customary Laws and practices but it appears that the system of lease

49. Interview Nilchanda Riang on 08-07-93, *Op. cit.*
50. Interview Ganga Chandra Riang on 05-05-92, *Op. cit.*

prevailing in the Riang community is almost in conformity with the statutory provisions excepting the aspect of requirement of conveyance. In most of the occasions a lease is performed through a varbal agreement between the lessor and the lessee.

No litigation relating to the matter of lease instituted by any Riang Person could be traced out. However, in village Baikhura, under Belonia Sub-Division one Mangtaha Riang holding 89 acres of *raiyati* land leased out some land and established one tenant under him.[51]

10. MORTGAGE (*BANJA*)

Act of mortgaging or pledging of property is not a traditional institution of the Riangs. But in course of time due to modern education, spread of literacy, changes in occupational structure and contact with non-tribals etc. the concept or mortgage or pledge has been introduced by the Riang in their society.

Mortgage is restored to where there is an element of doubt as to the reliability of the debtor. But in case of an unsophisticated tribal particularly a Riang, such element of doubt can hardly be traced out. It is nonticed that generally tribal never disowns his liability and usually confesses his liability to repay but never tells a lie.

According to Riang customary laws, any property except a gun can be mortgaged/pledged. Possession of the mortgaged property is delivered by the mortgagor to the mortgage. A Mortgage/pledge is executed in the presence of one or two witnessess. If the mortgagor fails to pay off his debt within the specified period, in that event the mortgagee can cause the mortgaged property to be sold for satisfaction of his demand or can retain possession thereof permanently. According to Riang customary practice, a mortgaged land or house can also be leased out by the mortgagee to another person.[52] In this connection reference may be made to the court case of Harimohan Riang.[53]

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51. Das. J. N. (ed), *Op. cit.* p.50
52. Interview Gitya Kumar Riang on 10-11-92 *Op. cit.*
53. Title suit No. 29 of 198 in the Court of Munsiff, Dharmanagar, North Tripura ; District Record room, Agartala, West Tripura.

To sum up, the concept of private property is slowly emerging among the Riangs replacing the age old community ownership and egalitarian concept of society which may be termed as a "Silent Revolution". As the concept of private property is new among the Riangs, naturally many other concepts allied to private property are also new to them. The institutions which are mentioned in the present chapter came as a result of contact with other modern forces and other culture of the society. There are customary laws regarding debt, gift, inheritance, succession etc., no doubt, but in most of the cases these are in conformity with the present law of the land.

CHAPTER-VIII

CUSTOMARY LAWS AND PRACTICES RELATING TO ECONOMIC LIFE

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CUSTOMARY LAWS AND PRACTICES RELATING TO ECONOMIC LIFE

The economic scenario or the economic life patterns of the Riangs gave birth to a lot of customary laws and practices. Some of the characteristic features of primitive economy are still to be found in the present economic system of the Riangs. There is no intricate division of labour in the Riang economy. Everybody is accustomed to every work. The Riang economy is mainly based on foodgathering, food-producing, animal domestication, basketry and weaving. Every family pursues every activity to defray livelihood. Their economy is nearly selfsubsistent. "They have little tradition of trade, exchange of goods, ceremonial and reciprocal, are however, an ancient pattern of distribution",[1]

1. FOOD GATHERING

The food-gathering activity of the Riangs consists of the collection of vegetable, fishing and hunting. It is supplimented by food production and domestication of animals and birds. As the forests are receding dependence on food gathering is decreasing.

According to customary practice, fishing men, women and children participate either individually or communally and no taboo is attached to it, nor there is any hard and fast rule in fishing.[2] In fishing catching fishes are divided among the participants. But now-a-days owing to the reclamation of marshes and use of insecticides in fields, the scope of fishing is shrinking.

In the Riang society hunting of animals and birds is not only an economic activity, but to the Riangs, hunting is also a sport which includes tracking, stalking, snaring, trapping and shooting.

The Riangs participate in hunting individually, communally or by a small group. Hunting is restricted to the males only. Women are tabooed. According to Riang customary belief if a women takes part

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1. Gan Chaudhury. J. *Op. cit*, p.16
2. M. L. Riang, Director of Research, Government of Tripura was interviewed on 17.11.95 at Agartala

in hunting the men will be lazy and unsuccessful in hunting.[3] The Riangs abide by certain customary norms at the time of communal hunting. The meat of the hunted animal is distributed to every household of the hamlet. The actual hunter, the owner of the gun and the *chaudhury* of the hamlet get an extra share each.[4]

In the traditional Riang society before distribution of meat of the hunted animal the *ouchai* used to perform some rituals so as to drive out any possible evil influence from the body of the hunted animal.[5] Some times to ensure success in hunting the Riangs took resort to spels and offerings to win the favour of a deity known as *Buraha*. After hunting, the wife of the hunter was required to touch the hunted animal with her ladle (*Phaikha*) so that all the rest of the hunted animal's relation fell prey to.[6]

During field survey it has been observed that now-a-days hunting has become obsolete in the Riang society and the different traps they had are no longer found.

2. DOMESTICATION OF ANIMALS AND BIRDS

Like other tribes such as Tipras, Noatias, Jamatias, Halams, Kukis, Garos etc. a few species of animals and birds such as pig, fowl, dog, and cat are at present domesticated in the house of the Riangs. In the past the Riangs were not accustomed to the domestication of animals and birds. They used to practise *Jhum* cultivation and hence they did not feel the necessity of any cattle. But the transition from *Jhum* to settled cultivation paved the way for domestication of animals and birds in the Riang society.

3. FOOD PRODUCTION

The food production activity of the Riangs centre round *Jhum* which as already mentioned is not simply an economy but also a culture. In the past, *Jhum* cultivation was the only means of

3. Gan Chaudhury, J. *Op. cit.*, p.20
4. Interviewed M. L. Riang on 17.11.95 *Op. cit.*
5. *Loc. cit.*
6. Interviewed Smt. Padma Chaudhury on 07.07.94, *op.cit.*

subsistance of the Riangs although edible roots and tubers supplemented their food supply to a considerable extent.

A. JHUM (*HOOKNISAMONG*)

Jhuming in Tripura is still an important phenomenon. According to a rough estimate made in the project report for Tripura Rehabilitation Plantation Corporation Ltd. every year a total area of about 25000 hectares of land is devoted to *Jhum* cultivation.[7]

Jhum cultivation comes under an unique category with reduced Jhum cycle of three to five years on an average. The customary practices of the Riangs do not acknowledge direct or indirect right over land to any family.[8] *Jhuming* is a way of life and even those tribals who carry out permanent cultivation indulge in part time *Jhuming* so as to attend to customary rites, ceremonies and cultural events. More than ninety percent of the Riangs of Tripura are *Jhumias* (as shown in table No. 3) followed closely by Chakmas, Halams and Noatias registering a figure of 70%.[9] Jhum cultivation has reached an impassive stage in Tripura state and it can not now sustain even subsistence economy.

According to Bani Prasanna Misra, the term *Jhumia* and *Jhumia* Tribes are not same. A particular individual belonging to any of the Jhumia Tribes may not be in actually a *Jhumia* i.e. shifting cultivator. He has observed that although Riang is traditionally a *Jhumia* Tribe, but many Riangs have given up doing shifting cultivation in favour of other occupation and as such it may be said that they belong to *Jhumia* Tribe but are not *Jhumias*.[10] In fact, in the local parlance of Tripura this is the way in which the word is used.

During field survey it has been observed that like other Jhumia

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7. Das, J. N. (ed), *Op. cit.* p.119.
8. Menon, K. D. Report on codification on Tribal customary Laws, Rites and Land Usage pattern of Tripura (an unpublished report), Agartala, 1991 p.26
9. *Ibid.* p.29.
10. Misra, Bani Prasanna, *Socio-Economic Adjustment of Tribals*, New Delhi, 1976 p.5.

Tribes of Tripura the Riangs also follow some customary practices relating to *Jhum* cultivation.

I. SELECTION OF JHUM LAND

According to customary law as are found to be prevalent in the present day Riang Society, every year a village *Jhum* committee is formed in a meeting of all the villagers for the purpose of selection of *jhum* land and allotment of the same to the individual famililes. A President and a Secretary are also appointed every year and the *chaudhury* being the traditional chief of the hamlet, is not necessarity selected as president of the village *jhum* committee as he has other functions including adjudication of disputes.[11] However, the *chaudhury* exerts his control over the *jhum* committee.[12]

II. JHUM CYCLE

Two consecutive crops can not be extracted on the same plot because after yielding one crop the fertility goes down so much that optimum crops can not be extracted in the successive year. So the *jhum* committee selects a new land for *jhum* cultivation every year. At present the lenght of the *Jhum* cycle is normally four years only i.e. the *Jhumias* return to the same land generally after four years.[13] In the olden days the *Jhum* cycle was as long as ten years.[14] The shortening of the *Jhum* cycle indicates a gradual decrease of the area of available waste land.

III. DIVISION OF JHUM LAND

After selection of *jhum* land, the village *jhum* committee distributes the land among the *jhumias* of the hamlet dividing the area into as many plots as there are *jhumia* families. The size of the plot varies with the necessity and capability of each *jhumia* family regarding utilization for *jhum* cultivation. On the basis of size, the

11. Das, J. N. (ed.) *Op. cit.* p.30.
12. Prafulla Riang. Feature writer Directorate of Research, Government of Tripura was interviewed on 17.11.95 at Agartala.
13. *Loc. cit.*
14. Das. J. N. *Op. cit.* p.130.

plots are divided into four types. The following table will show the various type and size of *jhum* land.

TABLE-11

TYPES AND SIZE OF PLOTS IN THE YEAR 1983 OF THE VILLAGE BORO-KANGRAI OF NORTH TRIPURA

A. Type : Roughly 6 acres to 8 acres

B. Type : Roughly 4 acres to 5.60 acres

C. Type : Roughly 2 acres to 2.80 acres

D. Type : Roughly 1.20 acres to 1.60 acres.

Source : *cf.* Das, J. N. (ed.) *A study of the Land system of Tripura*, Guwahati, 1990, p.131.

IV. DISTRIBUTION OF JHUM PLOTS

After division of plots the Village *Jhum* Committee ascertains the number of *jhumia* families in the hamlet that are capable of utilizing the plots of each type. After enlisting the names of the *Jhumia* families against each type the next step is to determine which family will get which plot and this is determined by drawing lots among the families enlisted against each type.[15]

V. THE TRADITIONAL SYSTEM OF DISTRIBUTION OF JHUM PLOTS

This was not the state of affairs during the princely days. The traditional system was that the council of elders every year selected the new *Jhum* land and divided it into as many number of plots as there were *Jhumias*. According to the traditional practice the elders first selected their own plots and obviously the best plots used to be alloted in favour of those elders and thereafter the remaining plots were distributed on the basis of 'first come, first choice'.[16]

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15. *Ibid.* p.131
16. Interviewed Ganga Chandra Riang on 05.05.92, *Op.cit*

The prevailing practice regarding *Jhum* cultivation are not the old tradition of the Riangs. The methods that are adopted now-a-days are the recent adaptation to the Riang customary laws and practices relating to *Jhum* cultivation. These methods have been resorted to with a view to eliminating any possibility of favouritism or discrimination in the matter relating to *Jhum* cultivation. By introducing different grades according to need and capacity, the Riangs have contributed an improvement in the system of *Jhum cultivation*. This kind of gradation was not found in Arunachal Pradesh and Meghalaya.[17]

VI. JHUM AS A WAY OF LIFE

For most of the Riangs of Tripura *Jhum* is still a way of life. It has been being practiced by them for hundreds of years and certain customs associated with it have assumed religious sanctity. *Hooknisamong* festival centres round *Jhum* cultivation and many dances, songs and games have grown around it. In fact the centre of the Riang culture lies in the practice of *Jhum* and they stick to the *Jhum* culture even though it may be economically ruinous.

During field survey, it has been observed that *Jhum* and plough cultivation prevail side by side in the tribal areas of Tripura. Many of the Riangs of North Tripura solely depend on *Jhum* cultivation. In Jhum activities service is exchanged. The right of inheritance over the *Jhum* land is restricted to the period of use only. Occupation of the *Jhum* lands and its use when continued for years together, goes in favour of the right of ownership provided the village authority gives consent by way of recognition.[18]

In 1876 Hunter wrote : "The hill tribe object to cultivation by plough, as being contrary to their traditions and so strong is their prejudice against any change from their own system."[19]

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17. Das. J. N. (ed.) *Op. cit.* p.131.
18. Menon. K. D. *Op. cit.* p.24.
19. Hunter W. W. *Op. cit.* p.502.

In Arunachal Pradesh, Nagaland and Manipur the provisions of the Jhum Land Regulations are not yet enforced and there the customary law has taken precedence.[20] However, in Tripura *Jhum* Control Regulation is still to be introduced.

Plenty of literature is available on the evil effects of *Jhum* cultivation which destroy the ecological balance, leads to the soil erosion in all forms and leaves the hills barren. Attempts to wean away the tribals particularly the Riangs totally from *Jhum cultivation* have not so far produced any desirable results even after implementation of series of rehabilitation programmes.

Undoubtedly, the agriculture forms the major economic activities of the Riangs. What is interesting is that although land ownership rests with the family which is responsible for production and consumption, there is economic obligation which prompts them to help each other and lend service without any remuneration.

Customary laws and practices relating to economic activities of the Riangs are mixed up with occult practices. To ensure success in various economic activites such as success in hunting, for a better harvest etc. various deities are propitiated. Selection of *Jhum field* is subject to dream revelation. The Riangs firmly believe in the efficiency of occult practice which supplements their economic efforts and brings assurance where there is only hope. Super-natural belief often prevails over economic consideration. However, with the growth of the influence of extenuating circumstances, science, technology and new socio-political developments the traditional Riang economy and other aspects of culture have now-a-days undergone a substantial change. As a result, the customary laws and practices are also changing.

20. Menon, K. D. *Op. cit.* p.25.

CHAPTER-IX

CONCLUSION

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CONCLUSION

This chapter sumps up the major rays of the spectrum, the results of investigation in the above eight chapters :

First, the Riangs belong to the *Bodo* group of the Tibeto-Burman family. They had migrated to Tripura through different routes from Chittagong Hill Tracts and came in contact with the ruling community of Tripura round about the 15th century during the reign of Ratna Manikya.

1. Hence it may be said that the Riangs are not the autochthons of Tripura.

Out of the 19 tribes of Tripura the Riangs, the second major tribe, has been identified as a 'Primitive' group by the Government of India.

The customs of the Riang community may be classified as community costoms which binds the community as a whole. However, the importance of customs continuously diminish with the growth of influence of extenuation circumstances and new socio-political developments.

Secondly, the Riangs call themselves *bru* which means man. But the term Riang however, is the widely used appellation to denote this tribe. To the Riangs, the term 'Riang' does not denote the community, rather it is a title which usually used by the majority of the community. It may be noted here that since long past in all the records and documents the term 'Riang' has been used to denote the community.

It is the common belief that the word Riang is the corrupt form of the word Riangs which points out the waves of their migration.

Originally the Riangs belonged to the Palaung wa group of the Austro-Asiatic family of languages. During their course of migration the surounding situations might have compelled the Riangs to change the language group. Now the language spoken by the Riangs is Kau Bru which belongs to the Tibeto Burman language group.

Ecology and environment played an importan role in the growth of Riang customary laws and practices. In this context factors like natural environment, Social environment and economic environment are noteworthy.

From a historical review of some evil customs such as Joyles, Slavery, Sattee, Tytung that were once prevalent among the tribes including the Riangs for a very long time, it is noticeable that the change of the evil customs in most cases came from above and not from below inasmuch as most of the hill people were passive regarding the adverse effects of such customs.

Customs and customary laws played some important roles duing the Riang unrest of the 1940s. In history, the Riangs played a prominent role in the Royal Army in Tripura. This martial background of the Riangs influenced their social customs to a great extent.

Thirdly, the concept of Riang customary laws and practices has developed out of an endogamous family and clan organisation depending upon food gathering and shifting cultivation.

The sphere of kinship alignment of relatives is primarily based on two kinship concepts namely *Sandai* and *Hokchu* which gave rise to two kingroups, namely *Sandairao* and *Hokchurao*. The concept of *Sandai* is dynamic in the sense that it has wide field of operation in the vital matters of marriage, inheritance, succession, adoption and consolidation of the members of the lineage group, *Sandairao*.

Although all are equal on common social ground, differentiation between certain individuals is made in terms of social role. The chief although secular head was the religious leader and had the highest social status. The widow and widower who are construed as impure persons and can not participate in any ritual, are religated to low positions. Social integration is attained primarily in the family and subsequently extended through kin groups. Inter-dependence and socialization in one's own family and residence in wife's house for three years immediately after marriage, helped in integrating one with the consanguines and affines.

Exchange of service and participation in common activities carry the integration further. In the life-cycle of an individual, innumerable rituals were performed at family, clan, kingroup and community levels, and thus efforts were made in the past to maintain integrity by a ritualistic organisation.

The Riangs had the traditional elaborate self-governing institution. But such elaborate system of traditional administrative institution is not in existence now-a-days. Only remnants of such institution are traceable in the Riang village. Consequent on the Riang unrest in the forties and the reforms introduced by Maharaja Bir Bikram Kishore Manikya in the administration of civil and criminal justice in the Riang areas, a big change is noticeable. During the post Manikya days penetration of government control and administration in the tribal areas of erstwhile princely Tripura had helped the extinction partially or wholly of the Tribal administrative organisation in the different parts of the hilly regions of Tripura.

The *Howloi*, the *Kaskau*, the *Rai* have lost their relevance in the present day Riang society. The traditional Riang system of administration of justice waned and became ineffective and in their place the statutory Gaon-Panchayat, Naya-Panchayat and other agencies of the TTAADC have taken place over the functions in the matter of administration of justice. Now-a-days only some minor civil and criminal cases are disposed of at the village level by the *chaudhury* of the village with the assistance of the village elders. This changing scenario of Riang social frame-work is particularly notable to understand the present riang attitudes to their age-old customs and customary laws.

Fourthly, Marriage as a social institution occupies a prime position in the Riang society in the past and the present. Marriage among the Riangs is partly clan-exogamous and partly clan-endogamous. Now-a-days, the community has adopted with some new trends like inter-tirbal and inter-ethnic marriages. Both the parallel-cousin and cross-cousin marriages are also practised by the Riangs now-a-days.

Traditional means of marriage by rendering service is now neglected by the educated grooms. The alternative is marriage by the payment of bride price. With the gradual reduction in the major economic functions of women, a change in the marriage system is noticeable. Instead of marriage by service or marriage by bride price, marriage by dowry or simply by explicit consent of both sides is gaining wider currency.

Regarding divorce the society itself settled the matter in the village council in accordance with their customary laws. Not a single case is noticed that any Riang person took resort to the court of law for affecting any divorce.

It is evident from the marriage and divorce system as prevalent in the past and present Riang society that particularly the opinion of the village elders plays a dominant role. The change of attitude towards these two institutions is no doubt noticeable ; but as the Riang society like many other society is patriarchal, the male bias in the age-old system with the exception of *Jamai-khata* system is also noticeable. The demand for equal rights and equal laws for male and female is still a far cry in the Riang soiety.

Fifthly, the *Ouchai* has unlimited sphere of activities in the Riang society. No rite, ritual or ceremony can be solemnized without the supervision of *Ouchai*. He occupies a prime position as the priestly class enjoyed in the traditional Hindu society.

The Riangs still practice the traditional religion which is a mixture of animatism, animism and various branches of Hinduism. The religious beliefs and practices of the Riangs consists of a moral code. Sacrifices are made not only for propitiation of deities but also to express gratitude to the God for giving good crops. To them the greatest virture is truth and greatest sin is telling a lie. Here, there is no difference between the Riang religious belief and the essence of any great religion of the world.

The Riangs constitute the highest number among the tribes of Tripura who converted to Christianity. Obviously, this convertion of a portion of the community has made an impact on the cultural

frame-work as well as customary laws and practices of the Riangs of Tripura. Now-a-days, most of the converted Riangs do not follow their customs and traditions rather they are more inclined to follow the command of the church which is mostly western in appearance.

Sixthly, the Riangs believe that any offence against woman-hood pollutes the society. Contrarily, it appears from their customary laws that the Riangs do not consider sexual offences including the offence of rape so seriously and they settle up those offences themselves in the village council with the imposition of nominal fine only upon the offenders, while the law of the land provides punishment to the extent of life imprisonment for commission of an offence of rape.

It appears from the recorded documents that only those cases which are reported to the police or being interferred by the investigating police, are brought to the court for disposal according to law.

The present day Riang society still resorts to various ordeals as mechanism so as to ascertain truth and guilt and also to detect the guilty. Punishment of crime under Riang customary laws may be classified in three periods :

A. The period of *Kaskau* when punishment was altogether retaliative.

B. The period of *Rai* when punishment was made reformative and physical punishment turned obsolete. *Rai* insisted on imposition of fine only upon the offenders.

C. Since 1950s there was a notable change in the mode of punishment. The Riangs due to impact of modern politics and extenuating circumstances started showing their inclination to be guided by the law of the land and prone to accept the new ideas and ways of life.

Seventhly, the concept of private property is slowly emerging among the Riangs replacing the age-old customary community ownership and the egalitarian concept of society which may be termed as a "silent revolution". As the concept of private property is new

among the Riangs, naturally, many other concepts allied to private property are also new to them. There are customary laws regarding debt, gift, inheritance succession etc. But in most of the cases these are in conformity with the present law of the land and these came as a result of contact with other modern forces and other cultures of the society.

Eighthly, Jhum among the traditional Riangs was not simply an economy but was also a culture which helped the growth of a lot of customary practices among the Riangs. The Tripura Land Revenue and Land Reforms Act, 1960 is silent on Jhum cultivation. Individual or community ownership of land in *Jhum* fields is a major issue that has to be decided through open and unequivocal participation of the people with the agencies of the Government. The TTAADC may take the lead in this important sphere of work.

Ninethly, the concept of the Riang customary laws and practices is changing, changes which have been ushered in on all the fronts, have two directions and have been motivated by political-economic ends. Hisrotically, although contact with alien culture was established long ago, internal dissension which resulted in 1940 (removal of the tribal chief against the customary rule) created vacuum in the social organisation of the Riangs by the suspension of the Riang political organisation.

The above concepts and notions, that once regulated individual conduct, are changing, consequently, social bond is weaking, incidence of divorce is increasing, formation of group is taking place and belief in tribal theology is lessening. Weakening of the *Sandai* bond has led to the division of joint families and decline of parallel-cousin marriage. Cessation of community rituals, clan rituals and other rituals no longer hold the individual together. Different hamlets which were tied together by the extension of kinship and common ceremonial bonds, appear now as independent socio-political units.

The major factors responsible for bringing about changes in the concept of Riang customary laws and practices may be summed up as follows : The gradual shifting from *Jhum* cultivation to plough cultivation and the transformation of forest lands used for shifting

cultivation had its impact not simply on economy, but on society and culture.

Internal dissension resulted in the voluntary political submission of the Riangs to the king of Tripura. Moreover, the fact that the kings of Tripura were Hindu Kshatriyas practising Hindu religion and worshipping the Hindu Gods of all sects-Saiva, Sakta and Vaisanava influenced the Riangs to accept without hesitation the political authority f the kings of Tripura. Consequent upon this submission, Hindu religious thoughts began to shed light on the Riang. culture since this contact.

Preaching of vaishnavism proselytized some Riangs who have erected temples of Lord Krishna and Siva in the hamlets. They discouraged tribal theology based on sacrifice of animals and worship of unseen gods and goddesses. As a matter of fact, Vaishnavism has been imposed from above in the Riangs after the Riang unrest. This religious belief strongly influenced their custom and tradition. Later on, the influence of Christian missionaries induced a section of Riangs to revise their customs.

Removal of the tribal chief in 1940 against the customary rule had a wide and adverse effect. The leadership and authority of the new chief were ignored and community rituals were not performed under his supervision. Even his council could not function. The result was that the integration between the clans and the political institution impared and two rival groups emerged.

The settlement of the Bengalee Hindu refugees since the 1940s in the tribal habitat opened the channels of both cultural contact and social tensions. Further, opening of transport and communication facilited contact of the Riangs with the people at a distance and with the spread of education, many Riang elites began to reassess the utility of many of their age-old practices. Historical evidences show that continuity and change mark the social fabric and a true social history of the Riangs can only be construced if all these forces are properly evaluated.

APPENDIX-I

CASE STUDUIES

A. CRIMINAL CASES

1. Case No. S. T. 42 (N.T/K)/81

In the court of Asstt. Sesssions Judge, North Tripura, Kailashahar, Name of the informant : Keshorai Riang Chaudhury.

Name of the accused persons	:	1. Keshetri Kumar Riang
		2. Haranjoy Riang
		3. Halaram Riang and 3 others
Charge	:	U/s 395/397 I. P. C. and 25 (1) (a) of the Arms Act.
Place of occurance	:	Dasda under Kanchanpur police station of North Tripura.

Fact of the case : On 17.08.80 at about 11 P.M. the accused persons being armed forcibly entered into the house of Keshori Riang Chaudhury and committed decoity in his house. The accused persons tied up the informant and his wife with rope and took away five numbers Pachra and one Dhuti total value of which would be around Rs. 70/- only.

Asstt. Sessions Judge after full trial acquitted the accused persons U/s 235(1) of Cr. P. C. on 17.09.83.

2. Case no. S. T. 8 (NT/D) 1982.

In the court of Asstt. Sessions Judge, North Tripura, Kailashahar, Name of the informant : Barnajoy Riang.

Name of the accused persons	:	1. Dakhamani Riang
		2. Rashaurai Riang
		3. Brindrai Riang

Place of occurance	:	Sailung Para of Ananda Bazar under Kanchanpur Police Station of North Tripura.
Charge	:	U/s 395 I. P. C.

Fact of the case : Accused persons committed decoity in the Jhum house of Barnajoy Riang and Titoran Riang during the intervening night of 11.09.79 and 12.09.79 at village sailung Para under Kanchanpur Police Station.

The Asstt. Sessions Judge, after full trial acquitted the accused persons on 17.09.83 U/s 235 (1) of Cr. P. C.

3. Case No. G. R. 83 of 1886

In the court of Judicial Magistrate 1st Class, North Tripura, Kailashahar.

Name of the informant	:	Benulal Basak
Name of the accused person	:	Udayjoy Riang
Place of occurance, North Tripura	:	Betcharra, under Fatikroy P. S. of
Charge	:	U/s 384 I. P. C.

Fact of the case : On 13.03.86 at night the accused person entered into the house of the informant and demanded money at the point of gun. After investigation charge sheet was filed U/s 384 I. P. C. Now the case is pending for execution return (Execution of attachment against the accused so as to procure his appearance before the court).

4. Case No. G. R. 194/87

In the court of Judicial Magistrate 1st Class, North Tripura, Kailashahar.

Name of the informant	:	Ranajoy Chaudhury.
Name of the accused person	:	Dhaniram Riang
Place of occurance	:	Biranjoy Chaudhury para under Chaumanu police station of North Tripura,
Charge	:	U/s 326 I. P. C.

Fact of the case : On 21.04.87 at about 9.00 hrs on hearing cry the informant rushed to the spot and found the accused person assaulting Brithi Ram Riang with a dao. After investigation charge sheet was filed U/s 448/324/323 of I. P. C. The case is now pending for execution return.

5. Case No. G. R. 425 of 1991

Name of the informant : Ramani Riang

Name of the accused persons	:	1. Kalumohan Tripura 2. Phulendra Riang
Place of occurance	:	Ultacharra, under Manu Police Station of North Tripura.
Charge	:	U/s 395 I. P. C. and 27 Arms Act.

Fact of the case : On 09.09.91 at about 18.00 hrs. a gang of dacoits consisting of nine members being armed entered into the house of the informant and took away his type machine at the point of gun and threatened the informant with dire consequence.

After investigation charge sheet was filed on 10.03.93, U/s 395 I. P. C. and 27 of Arms Act. The case is now pending in the court of Chief Judicial Magistrate, North Tripura, Kailashahar.

6. Case No. G. R. 426 of 1991

In the court of Chief Judicial Magistrate, North Tripura, Kailashahar

Name of the informant	:	Narayan Chandra Saha
Name of the accused persons	:	1. Smt. Phaganti Riang 2. Karnajoy Riang 3. Nakujoy Riang
Place of occurance	:	Machli Market, under Manu Police Station of North Tripura
Charge	:	U/s 457/380/411 I. P. C.

Fact of the case : On 14.09.91 at about 2.30 hrs the accused persons entered into the shop of the complainant by breaking the house and committed theft in respect of stationary goods, Smt. Phaganti Riang was caught red handed along with the stolen articles.

After investigation charge sheet was filed on 10.10.91, U/s 475/380/411 of I.P.C.

Smt. Phangunti Riang and Karnajoy Riang were sent up for trial and the rest accused was shown absconder in the charge sheet. The case is now pending for disposal.

7. Case No. G. R. 104 of 1991

In the court of the Chief Judicial Magistrate, North Tripura, Kailashahar

Name of the informant : Sahadhar Riang

Name of the accused persons	:	1. Pakhijoy Riang 2. Marsiroy Riang 3. Khananjoy Riang
Place of occurance	:	Manik Chaudhury para under Manu Police Station of North Tripura.
Charge	:	U/s 366 I.P.C and 27 Arms Act.

Fact of the case : The accused persons kidnapped Smt. Shilabati Riang, a kok-barak teacher of Manik Chaudhury Para Junior Basic School by pulling her under threat at the point of country made gun with a view to marry her forcibly, at 8 A.M. on 14.03.91. The accused persons raped her repeatedly and detained her till 18.03.91. Thereafter, the victim was rescued by the police.

After investigation charge sheet was filed on 21.04.91 U/s 366 I. P. C. and 27 Arms Act.

Accused Karnajoy Riang was sent up for trial and rest accused persons were shown absconders in the charge sheet.

Now the case is pending for disposal in the Court of the Chief Judicial Magistrate, North Tripura, Kailashahar.

8. Case No. G. R. 1 of 1992

In the court of Chief Judicial Magistrate, North Tripura, Kailashahar

Name of informant	:	Dr. A. K. Pandit, Medical Officer, Kumarghat Rural Hospital
Name of the accused person	:	Chantakraj Riang
Place of occurance	:	Kumarghat, under Fatikroy Police Station of North Tripura
Charge	:	U/s 379/411 I.P.C.

Fact of the case : On 31.12.91 at about 20.00 hrs. the accused committed theft of water supply pipes from Kumarghat Rural Hospital campus and he was caught red handed along with the stolen pipes. Thereafter, the accused person was handed over to the police.

After investigation charge sheet was filed on 02.01.92 U/s 379/411 I.P.C.

Accused Chantakraj Riang was sent up for trial

Now the case is pending for disposal in the court of Chief Judicial Magistrate, North Tripura, Kailashahar.

B. COMPENSATION CASE

1. Case No. T. S. (Mac)/23/91

In the matter of an application of compensation U/s 140 of M. V. Act 1988, before the Motor Accident Claim Tribunal, South Tripura, Udaipur, And in the matter of Smti. Manakriti Riang and 3 other minors vrs. Smt. Ashalata Barman (owner of the offending vehicle and National Insurance Company).

Fact of the case : That on 01.02.91 at about 9 P. M. When the lorry No. TRL 2045 loaded with bamboo was proceeding from

Gandhari to Uaipur with the victim and some other labourers on board, due to rush and negligent driving of the vehicle, Birmani Riang, Faleri Riang and Niranjan Riang sustained grievous injuries on various parts of their bodies and Faleri Riang subsequently succumbed to his injuries and hence this case for grant of compensation.

DECISION

The presiding Judge, (District Judge, South Tripura) after full trial awared compensation amounting to Rs. 25,000/= in favour of the claimant petitioner on 24.08.1991.

C. CIVIL CASES

1. Case No. T. S. 32 of 1970

Smt. Bharati Riang, Plaintiff, vrs. Monomohan Biswas and other defendants.

This is a suit for perpetual injuction to restrain the defendants from entering into the suit land and interferring the possession of the plaintiff.

The case of the plaintiff in short is that the suit land originally belonged to her husband and she has been possessing the land by growing crops thereon through her son-in-law Sajan Kumar Riang. But on 20.05.70 the defendants threatened the plaintiff to disposses her from the suit land and hence this case.

After full trial the Munsiff held that the plaintiff is entitled to get the decree for permanent injunction and in the result the suit was decreed on contest on 09.06.71.

2. Case No. T. S. 10 of 1971

In the court of Munsiff, Dharmanagar, North Tripura

Debajoy Riang, Plaintiff, vrs. Ranjan Das and five others and Ratneswar Riang. Defendants.

This is a suit for declaration of right, title, interest, confirmation of possession and perpetual injunction.

Fact of the case in short is that the suit land is the jote of the plaintiff who obtained Jote *bandabasta* of the same land from the government and has been possessing the same. Thereafter on 10.04.71 the defendants threatened to disposses the plaintiff from the suitland and hence the plaintiff filed the instant case.

On 31.07.72 the case was fixed for hearing but both the party remained absent and accordingly the suit was dismissed for default.

3. Case No. T.S. 4 of 1972

In the court of Munsiff, Dharmanagar, North Tripura

Kumud Chandra Kapali, Plaintiff, vrs Smt. Khandabati Riang and Dhanchandra Riang, Defendants.

This is suit for perpetual injunction.

The case of the plaintiff in short is that the plaintiff purchased the suit land from defendant No. 1 on 15.02.71 and possessed the same. But the defendant subsequently being ill advised threatened the plaintiff to disposses him from suit land and hence this case.

Later on the suit was amicably settled between the parties and suit was decreed on compromise on 03.03.72 and the solenama formed the part of the decree.

4. Suit No. T. S. 25 (2) of 1979

In the court of Munsiff, Belonia, South Tripura

Hasula Riang and others plaintiff, vrs. Amulya Mohan Roy and another-defendant

Fact of the case in short is that Udairam Riang, father of Hasula Riang of Bagafa, under Belonia Sub-Division was the absolute owner and possessor of the land measuring 3.79 acres appertaining to Jote No. 589 of Mouja Bagafa. Udairam gifted 7 kanis of land to his minor son by executing a registered deed of gift on 10.07.67. But as their father was living separately, their mother got delivery of possession of the gifted land and was actually exercising possession of the land on behalf of her minor son. But on 28.03.79 Amulya Mohan

Roy and another disposed the plaintiff from the gifted land. Thereafter the plaintiff filed the instant suit.

The Munsiff after hearing both sides decreed the suit in favour of Hasula Riang and others.

The judgement of the Munsiff was affirmed by the Addl. District Judge, South Tripura, Udaipur in the 1st appeal. Thereafter the Gauhati High Court, Agartala Bench also affirmed the judgement and decree in the 2nd appeal No. 1 of 1983, dated 02.06.1992.

5. Case No. T. S. 29 of 1982

In the court of Munsiff, Dharmanagar, North Tripura.

Harimony Riang and one another ... Plaintiffs vrs. Manikya Kishore Chakma ... Defendant.

Fact of the case in short is that the plaintiff Harimoy Riang purchased two kanis of land from the defendant on 17.01.1974 by registered sale deed and the Plaintiff was put to possession over the land. But the defendant filed a petition on 09.01.81 to the S. D. O. Dharmanagar, in c/w T.A.I.R. case No. 9 of 1981 under the provisions of T.A.I.R. Act, 1980 to the effect that the defendant mortgaged the suit property to the plaintiff. It is stated by the plaintiff that the defendant by adducing false evidence somehow got an order in his favour which is not binding upon him and as such denied the allegation of the defendant.

After full trial on 30.04.83 the Munsiff ordered that the suit was not maintainable being barred by the provisions of the T.A.I.R. Act, 1980 and section 9 of CPC and the suit was dismissed on contest.

Against the judgement of Munsiff, Dharmanagar the plaintiff preferred appeal in the court of the District Judge, North Tripura bearing No. T. A. No. 6 of 1983. The District Judge, after bearing dismissed the appeal and affirmed the judgement of the Munsiff on 22.05.84.

6. Case No. Misc 10 of 1989 (Succession Certificate)

In the court of Munsiff, Dharmanagar, North Tripura.

In the mater of an application u/s 372 of the Indian Succession Act for succession certificate in favour of Smti Santirung Riang and her 6 (six) minor sons and one minor daughter. All the petitioners are of Kukinala under Panisagar Police Station of North Tripura.

Fact of the case : The petitioners being the only legal heirs of deceased Mangaljoy Riang Chaudhury who died on 17.03.89 at his residence at Kukinala, claimed to be entitled to a succession certificate. The deceased did not make any will.

The particulars of debt for which the certificate is prayed for is set forth in schedule below :

SCHEDULE OF THE DEBT

Reinvestment certificate in the name of Mangaljoy Riang Chaudury in Tripura Gramin Bank, Panisagar Branch, P. O.-Panisagar, Sub-Division, Dharmanagar, Dist.-North Tripura certificate No. A 001089, A/c No. RIP-36 for Rs. 9,000/- only with upto date interest if any the amount deposited by Mangaljoy Riang Chaudhury.

The Munsiff after being satisfied issued succesion certificate in favour of the petitioners as per their prayer on 17.06.89.

7. Civil Misc. Case No. 29 (c.s.) of 1994

In the court of Munsiff, Dharmanagar, North Tripura.

In the matter of application under section 372 of the Indian Succession Act 1925 for grant of succession certificate in respect of the deceased Janamjoy Riang And

In the matter of :

1. Smt. Minu Riang, W/o Late Janamjoy Riang
2. Sri Smaiha Riang (minor), S/o Late Janamjoy Riang
3. Smt. Padirung Riang, (mother of Late Janmajoy Riang)
4. Smt. Jubani Riang (minor), Daughter of Late Janamjoy Riang

All of village Sonapur under Kanchanpur Sub-Division of North Tripura.

The minor petitioners No. 2 & 4 are represented by the petitioner no 1 their natural guardian and mother of the petitioners no. 2 & 4.

--Petitioners

Vs.

1. Sri Jain Bahadur Riang, father of late Janamjoy Riang.

2. Sri Dijendra Riang, brother of late Janamjoy Riang

3. Smt. Bamila Riang, sister of late Janamjoy Riang.

4. Sri Uttam Riang, brother of late Janamjoy Riang

All of village Sonapur, under Kanchanpur Sub-Division, North Tirpura opposite parties.

Fact of the case : Smt. Drupati Riang was the socially married wife of late Janamjoy Riang who divorced her on 22.09.90 according to their social customs. Thereafter Janamjoy Riang married Smt. Minu Boro, daughter of late Khegendra Boro of Bongaingoan, Assam on 24th Oct, 1989.

Janamjoy Riang was a C. R. P. F. constable who died in harness at Hoshiarpur, Punjab. Thereafter the petitioners filed the instant case claiming their entitlement to the debts left by Janamjoy Riang. But the first wife Smt. Drupati Riang objected to that and claimed for her entitlement to the debts. The case is pending for decision.

SOME ACTUAL CASES DISPOSED OF BY TRADITIONAL VILLAGE COUNCILS

Theft case 1985

In October 1985 one Kolanjoy Riang complained before the *Chaudhury* of the village that Rambahadur Riang took away a pumkin from his house. The Chaudhury called a meeting of the village elders through two messengers and asked the parties to appear. After hearing both the parties and their witnesses, the meeting concluded that

the accused was guilty. The accused then confessed the guilt. He was fined Rs. 5/- He also payed Rs. 1/- to the Chaudhury as his fee for conducting the trial.

Ref. Das J. N. Law Research Institute, *op. cit.* p.645

2. Adultery Case 1985

On 6th Nov, 1985 one Sadanjoy Riang of Kukinala under Panisagar Police Station of North Tripura verbally complained before the *Chaudhury* of the village that his wife Banabati was found sleeping with one Balaram. The *Chaudhury* called a meeting of the village elders and asked the parties to appear at the meeting. Banabati and Balaram confessed their guilt. The council fined Banabati Rs. 10/- and Balaram Rs. 15/-. Out of the fine amount a some of Rs. 5/- was paid to the aggrieved husband as compensation and balance Rs. 20/- was distributed among the Chaudhury and the members present.
Ref. Interviewed Asamonjoy Riang on 14.08.93, *op. cit.*

3. Divorce case 1987

In the year 1987 Dhanraj Riang of Jogendra Riang para (East Betcharra of North Tripura) initiated a prayer for divorcing his wife before the *chaudhury* of the village. The village council headed by the *Chaudhury* Nilchandra Riang heard both the parties and their witness. Surendra Riang, *Chaudhury* of Sadhu Chandra para was also present in the meeting. After hearing both the parties the council ordered Dhanrai Riang to pay Rs. 1250/- out of which his wife Smt. Sonabati Riang got Rs. 1000/- and the balance Rs. 250/- was distributed among the members of the council. The wife got custody of their only minor son as per decision of the village council.

Ref. Interviewed Dastaram Riang on 25.03.94 *op.cit.*

4. Divorce case 1984

On 21.08.84 Srimati Karmati Riang verbally complained before the Chaudhury of village aksorgaon that her husband Khodoram Riang always quarlled with her every now and then and beat her severly. She prayed that either divorce be granted or the husband be bound

down to be of good behaviour. The *Chaudhury* called a meeting of the village council and heard both the parties and also one eye-witness. The council found the husband guilty of cruelty and granted divorce. The wife was allowed to take with her their only child aged 3 years. The husband was fined Rs. 55/- which was wholly given to wife as yoksom.

The case was disposed of in a single sitting.

No records of the case was kept.

Ref. : Das, J. N., Law Research Institute, *op. cit.* p.646

APPENDIX II

QUESTIONNAIRES

INTRODUCTION OF THE RIANGS

1. Where was the original home land of the Riangs? Why did they leave their original home and migrate to Tripura, Chittagong and other places?

2. Why do the Riang claim to be of "Kshatriya" descent?

3. It is known that the Riangs belong to the Mongoloid racial stock and their dialect is a branch of the Austro-Asiatic group of Tibeto-Barman family which is known as 'polaung wa'. Is it true?

4. How many clans or sub-clans are there in the Riang community and what are those?

5. Why such clans/sub-clans or groups/sub-groups are made? What are the differences among the members of different groups/ sub-groups?

6. It is known that each of the dafas is having its own chief known as "*Rai*" (*Kachak* or *Kanchan* in Riang dialect) who is assisted and aided by other lower ranks, who perform various duties as assigned to them under the local customs. Who are the other lower ranks and what are the various duties as assigned to them under the local customs?

7. What is the traditional dress of the Riangs? Do they adhere to that till now?

8. Silver ornaments specially necklace of silver coins are worn with pride and exhibited very prominently by most of the women folk, why?

9. What is the religion of the Riangs? Originally did they belong

to Hinduism? How and why most of the Riangs have become Vaishnavas or Saktas? What are the God/Goddess they worship?

RIANG FAMILY

1. What is the traditional concept of the Riang family? Whether the family composition in the Riang society is joint or nuclear?

2. What are the powers and position of the father in the Riang family?

3. What is the position of the mother in the Riang family?

4. Is there any division of labour in the Riang family? What are the duties and responsibities of the male and female members?

5. What is the status of women in the Riang family and society?

6. What is the Riang view of wife, widow, divorce, working women, unmarried and married girl?

7. What happens to the minor sons and daughters in the event of death of the father or mother?

8. How the orphans are treated in the family? Is there any difference in status of a posthumous child?

9. Who looks after the orphans or posthumous children after the death of the father or the mother?

10. In the absence of the eldest brother or the sister the minor children are looked after by the *Sandai*, i.e. close relatives on the paternal side till they attain maturity. Is it true?

11. What is the status and position of the illegitimate child in the Riang family and society?

12. What are the customary laws prevailing in the Riang society relating to adoption?

13. Whether adoption is limited to their own community? Whether inter-tribal adoption is allowed in the Riang society?

14. Under what circumstances and why an adopting parents adopts child?

15. Whether adoption of a non-tribal child is allowed in the Riang society? If so, is there any instance?

16. Whether a couple having their own children may prefer to have an adopted child? If so, under what circumstances and is their any instance?

17. Whether express consent of both the parents is necessary in case a chil is desired to be adopted?

18. Whether prior consent of the parents of the child to be adopted is necessary?

19. Whether approval of the *Sandai* or the *Hokchu* is necessary in case of such adoption?

20. Does the adopted child enjoy the same rights and privileges as a child born of lawful wedlock? If so, whether it is subject to all liabilities and duties enjoyed by the *panji* to which the adopted parents belong?

21. What is the custom relating to the adoption?

22. Who looks after the father and mother in their old days?

23. Does the mother play any role in decision making of the family?

24. What is the economic role of the mother and other female members in the family?

25. Whether a divorce can remarry? If so, can she remarry a bechelor?

26. Who looks after a divorcee? Where does she reside after being divorced?

27. Whether illegitimate child can inherit any property? If so, is there any difference in respect of inheritance between an illegitimate child and a child born of lawful wedlock?

28. Why the day of adoption is celebrated?

FOSTERING

1. What is the term used for fostering?

2. In the event of death of mother or is unable to suckle the baby--how the child is brought up/fostered?

3. Whether the foster mother or the wet nurse can be selected from outside their clan or dafa?

4. Is there any restrictions or conditions in fostering of a child?

5. What happens to the foster child when fostering is no longer necessary?

6. Under what circumstances do the foster parents keep the foster child as an adopted one?

7. Is there any hard and fast rule as to how long and to what extent the foster parents are to remain responsible socially and economically for the child?

8. Is there any provision for payment of money to the foster parents?

9. Whether a foster child can inherit or succeed to its foster parents in respect of properties of the latter?

MARRIAGE

1. What is the Riang concept of marriage? Is it on biological

necessity only? Is there any economic consideration or social consideration?

2. Whether plural wives are allowed in the community?

3. Is monogamy practised in the society?

4. How marriage ceremony is solemnised? What are the rituals for the ceremony?

5. Whether polygamy is practised in the community? Is it a punishable offence? If so, what is the quantum of punishment?

6. Whether bigamy is allowed? Is it an offence? If so, what is the punishment and what is the quantum of punishment? If the punishment is to pay fine and then what is the amount of fine?

7. In case of any bigamy/polygamy, how the village council settle the matter?

8. If a married man gets remarried during the life time of his first wife, in that case how the matter is dealt with?

9. If a married woman gets remarried during the life time of his first husband in that case how the matter is dealt with?

10. The amount of fine, is it discretionary with the village authority?

MARRIAGE PROHIBITION (*LAMAIYA*)

1. Whether marriage among the Riangs is clan-exogamous (the practice of marrying outside one's own group) or clan-endogamous (marrying within the group or tribe) or partly clan-exogamous and partly clan-endogamous?

2. Whether inter-tribal and inter-ethnic marriages are permitted?

3. Whether parallel cousin (closely related) and cross-cousin

(son or daughter of one's father's sister or mother's brother) marriages are practiesed in the community?

4. Whether a man can marry his sister's daughter or his brother's daughter?

5. Whether a man can marry his mother's sister or his father's sister?

6. Whether a man can marry anybody who stands in the relationship of nice?

7. How incestuously (sexual relation within prohibited relationship) married couple are accepted by the community?

8. How the rituals of *Phalkaimi* is performed by *Ouchai* (Priest) so as to regularise the incestuous marriage?

9. Whether a baby born as a result of incestuous union is accepted by the society? If so, how such baby is accepted?

10. Whether junior levirate (the custom of compulsory marriage with a childless brother's widow) is permissible in the Riangs society? Is it an offence?

11. Whether senior sorrorate (the custom that requires marriage with a wife's sister) is practised in the community? If such type of marriage, in spite of restrictions, is practised in that case how the matter is dalt with? In such case whether the couple are to pay fine to the village authority? If so, what is the amount of fine?

FORMS OF MARRIAGE

1. How many types of marriages are in practice in the Riang community?

2. How marriage by service (*Chamaritowmi*) is solemnised? In such marriage, for what period the bride-groom is to stay in the

bride's house? What duties the bride-groom uses to perform in the bride's house during that period?

3. Whether the marriage by service is still in practice in the community?

4. Whether such service by the groom can be substituted by mony compensation or by any other means?

5. Whether the bride-groom can stay in the brides house permanently after the period of services is over?

6. Whether the bride-groom is entitled to any share of his father-in-law's property in case he stays permanently in the house of the bride's parents?

7. Whether the son-in-law is given some property by the father-in-law as a gift? Any example?

MARRIAGE PAYMENT

1. How marriage payment is made by the bride-groom to the bride's family?

2. Such giving of property is regarded as a dependable guarantee of an enduring union--is it true?

3. Whether insufficiency in service by the bride-groom to the family of his wife during service period can be a cause of divorce? Any instance of such divorce?

4. In such case whether the bride-groom is entitiled to any compensation from his wife's parents?

5. If divorce takes place due to the fault of the wife, in that case whether the divorced son-in-law is entitiled to any compensation and if so to what extent? Is it to the extent if such gifts or

payments as was made during the time of marriage by the bride-groom party?

ELOPEMENT

1. Whether marriage by elopment is a recognised form of marriage among the Riangs?

2. If a boy elopes with girl and they fled away from the village in that case how the matter is settled?

3. In case of marriage by elopement, if the boy for any reason can not serve in wife's parental house for a usual period of three years after the marriage, in that case how the groom gets released from the obligation?

4. Whether the method of substitute payment in liew of service is applicable in all types of marriages? If so, what is the term of the substitute payment?

5. Under what circumstances, generally marriage by elopment takes place?

6. Whether the eloping couple is treated as defacto married couple?

7. Is there any specific period within which the eloping couple are brought back for regularisation of the marriage? What happens if the eloping couple are not found out within this specific period?

8. If either of the parties/guardians refuse to the proposed marriage, in that case how the matter is settled?

9. Whether the boy and girl are separated for good and given marriage with others by the parents concerned?

10. Whether any fine is imposed on any of the partners of the elopement.

SECONDARY MARRIAGE

1. Whether choice of Secondary marriage (levirate type of union) is free in the Riang Community?

2. Whether formalities of an ordinary marriage are necessary in case of levirate type of union?

3. Whether the question of compulsory service arises?

AGE OF MARRIAGE

1. What is the age of marriage among the Riangs?

2. Is there any ceremony connected with the attainment of puberty?

3. Whether the determination of the age of marriage is connected with *jhuming* operation?

4. Under what circumstances marriage is delayed?

5. Under what circumstances marriage is deffered? Whether economic condition is one of the factors of deferred marriage?

6. Is there any hard and fast rule in the Riang society regarding the relative age of the married couple?

7. Whether the husband and wife should be of the same age?

8. Whether higher age of a wife than that of her husband is a bar against the marriage?

9. If the age of the wife is higher than her husband in such case does it prejudice the position of the husband in the family?

BETROTHAL

1. When does the beatrothal (negotiation) take place?

2. Whether parents can promise for marriage of their child before its birth?

3. Whether such promise is binding if a child proves to be distasteful or unsuitable?

4. Who takes the proposal for marriage first? Which month is considered to be the best month for betrothal?

5. Is there any punishment or compensation prescribed when the marriage does not take place after betrothal?

6. Whether the betrothed couple are permitted to have sexual inter-course or any other privilege before solemnization of marriage?

7. Is there any matchmaker/*Andra* while initiating marriage proposal?

8. What are the Customs to be performed by the groom's party while initiating marriage proposal?

9. If the proposal is accepted by the brides party in that case what are the functions to be performed by the bride party?

10. What is Andra *Khulauni chama*?

11. What is the term for formal betrothal ceremony? What formalities are observed by the bride groom party on the day of formal betrothal?

12. What are points of discussion on the formal betrothal day?

13. Is there any custom of ceremonial visits between the prospective husband and wife?

MARRIAGE CEREMONY

1. What are the rituals relating to marriage?

2. What is the role of *Ouchai* in the marriage ceremony?

3. What is *tautai taing khaumi*?

4. Is there any special dress for the bride and the bride-groom at the marriage ceremony?

5. Is there any symbol of distinction between married and un-married woman?

6. What is the importance of *Risa* in the marriage ceremony?

7. Where does the marriage ceremony solemnise?

8. What is the season of a marriage? In which month marriage in prohibited?

9. What is the time of marriage--Morning/Noon/Afternoon/ Evening/Night/Late Night?

10. What is the period of stay of the bride groom at bride's house after marriage?

11. Which month is considered to be the best month for celebrating marriage ceremony?

12. Which days are auspicious and which are inauspicious for marriage ceremony?

13. Is there any punishment for marriage in the prohibited months and days?

DIVORCE

1. What is the term used for Divorce?

2. Whether divorce is permitted in the Society?

3. Who can initiate a divorce?

4. Under what conditions/grounds divorce may be allowed?

5. Whether a divorce may occur during the period of service in the house of the father-in-law?

6. What are the procedures of divorce? Who gives the final verdict for divorce?

7. Whether the divorced wife and divorced husband are entitled to any compensation?

8. Whether divorce can take place by mutual consent of both the parties?

9. If the husband seeks divorce, in that case, whether he has to compensate the wife?

10. If the wife seeks divorce, in that case, whether she has to compensate the husband? What is the amount of fine?

11. How the punishment of fine is effected in the event of violation by either of the parties?

12. Where the divorce precedings are held and by whom?

13. What happens in case divorce is allowed on the ground of delinquency of both the husband and wife?

14. Is there any provision of fine when divorce is sought mutually by both husband and wife?

15. To whom the fine and compensation has to be paid in case the divorce takes place after the period of service?

16. With whom the childred stay if divorce takes place at the instance of the father and vice-versa?

17. Whether divorse is allowed when a woman is pregnant? If so whether the husband is to bear the expenditure connected with the delivery of the baby? Under such circumstances who is the rightful custodian of such a child?

18. Whether the divorce proceedings are held in presence of both the parties and in public?

ADULTERY

1. What is the concept of adultery? Whether it is treated as a

punishable offence? If so what punishments are inflicted upon the offenders?

2. If a married woman commits adultery with a lover, how the matter is dealt with by the village council?

3. Whether the quantum of punishment varies with the gravity of adultery?

4. How the matter is dealt with if an adulterous woman is eloped by her lover and if the adulterous woman expresses her desire to the council to stay with her adulteror paramour (lover)?

5. If adulterous woman after the commission of adultery wants to stay with her legal husband in that event whether she is liable to pay any fine or compansation? If so, what is the quantum of fine?

6. During adultery if the adulterous woman is conceived, how the matter is solved? What kind of punishment is inflicted? Who becomes the custodian of the child?

7. If adultery takes place between an unmarried girl and a married man, how the matter is solved? What is the punishment?

8. If both the partners in adultery are married persons what kind of punishment is Inflicted?

9. If the adultery is committed by a widower then what is the punishment?

10. If adultery is committed in the house of a third person--whether the owner of the house is entitled to get any compensation?

MATRIMONY AND GUARDIANSHIP

1. What is the concept of minority in the community? Upto what age a child is considered as minor? Who is the natural guardian of a minor child?

2. Who becomes the guardian of a child in the absence of any natural guardian either in father's line or in the mother's line? In such case what is the responsibility of guardian appointed by the village headman?

3. To whom the guardianship of an illigitimate minor child is vested?

4. To whom the guardianship of a minor child passes on adoption?

5. Does the change of religion of the guardian entails the loss of the right of guardianship of the minor?

6. Whether a guardian is competent to alienate the property of the minor by sale, mortgage or otherwise?

INHERITANCE

1. What is the term used for inheritance?

2. What is the concept of inheritance?

3. Who inherit the property of the father--whether son; daughter and widowed mother inherit the property equally after the death of the father--If not equally, then what is the ratio of inheritance among the different survivors?

4. Who inherits the personal property of the mother?

5. Whether a widow has any right to inherit her husband's property?

6. What happens to the property or who inherit the property, if the couple were issueless?

7. Whether the principle of primogeniture or ultimogeniture is applicable in the community?

8. Whether all the male issues equally inherit the father's property?

9. After the death of the father who owns the living house?

10. How the household articles are divided? Does the sister share in those articles?

11. Who bears the expense of marriage of the unmarried brothers and sisters in the absence of the father?

12. How the bride price and groom service is shared in the absence of their father?

13. Whether the sons can claim division of parental properties during the life time of their father?

14. If any property is acquired by the son or daughter or wife by their personal capacity in that case whether such property belong to the common pool/joint property?

15. Whether the mentally or physically handicapped inheritors are deprived of their rightful shares?

16. If a son who does not perform his traditional religious rites or is converted to different religion in that case whether such grounds can disqualify him from his usual inheritance?

17. If any widow having some property remarries a person, in that case whether her new husband can clain her property after her death, if she dies without any issue?

18. If any unmarried or married stepson without any issue dies leaving some property, in that case whether his step-father can inherit his property?

19. If any fugitive renders service long time for his master than whether he gets any share of his master's property after the death of his master?

MAINTENANCE

1. Whether a person is under an obligation to maintain his wife, minor sons, unmarried daughters and aged parents?

2. What measures are taken against a person who fails to fulfil such obligations?

3. Whether a son who inherits his father's property is bound to maintain his unmarried sisters, widowed mother and other dependent members of the family?

4. Whether a step son inheriting the adoptive father's property is responsible for the maintenance of all the members of the adoptive family?

5. Whether a father-in-law is under an obligation to maintain his destitute dauguter-in-law?

6. Whether a father is under obligation to maintain his grand children after the death of his son?

7. Whether a wife who is not divored but deserted by her husband is entitled to maintenance from the estate of her husband?

8. Whether a wife can claim separate residence and maintenance by her husband in certain special circumstances, as for example cruelty, contagious disease etc.?

9. Whether the village authority can compel a person who refuses to maintain his wife and his minor children?

10. Whether the amount of maintenance can be changed in subsequent changed circumstances?

SOCIAL OFFENCES : CRIMES AND PENALTIES

1. Is there any written or unwritten code so as to regulate social life?

2. Is there any particular word/words or signs so as to prevent any person from commission of any illegal or immoral acts?

3. What type of punishment are inflicted upon the person who breaks the social norms?

4. Which sins disturb the harmony of law and order and incur anger of the spirits?

5. When honestly, integrity, chestily etc. once suspected but could not be proved--in that case whether it is punishable?

6. Seeking to seduce : All acts, words and alurements which are generally used to tempt and seduce a women--some of them are :-

i) Trying to speak amorous words to win over a woman.

ii) Backoning with hand,

iii) To invite by winking,

iv) To call by whistling or hissing,

v) To win over by caressing (an endearing touch),

vi) Touching the breast,

vii) Putting one's foot upon the toes of a girl,

If any person commits any such offence as stated above and if the victim girl/woman appeal to the village authority with proof, in that case how the matter is dealt with?

7. To drag by force : This takes place when a parson uses cunning or physical force to get a person to commit an offence or immoral act--in such case how the matter is dealt with? What is the probable punishment? Example, if any.

8. Baiting by the parents : This takes place when parents of a girl invite or encourage a boy to visit frequently their house and spend his time with one of their daughters and if afterwards forni-

cation has taken place and the boy does not want to marry the girl and the girl and her family demands compensation--in such a case how the matter is disposed-punishment if any--Explain.

9. Evil Counsel : If a person gives evil counsel to a boy or girl to commit an offence and (i) if that offence is committed in that case what type of punishment is inflicted on the offender and the evil counsel. (ii) if the offence is not committed but the evil counsel is proved, in that case how the matter is dealt with?-Example if any.

10. Beatings : If any person beats another person without any provocation, how the case is dealt with--penalty.

11. If any person voluntarily causes hurt upon another person--how the case is dealt with--what is the penalty.

12. If a husband beats his wife without any justification and if she sustains injury--Is it an offence? How the case is disposed of and what is the penalty? What is the procedure of trial?

13. If a person beats another by entering into the house of the latter--how the case is dealt with?

14. If any person commits theft and the offence is proved--what is the punishment?

15. If any person commits theft by entering into the house of the other how the case is delt with? Punishment?

16. If any person commits extortion, how the case is dealt with?

17. If any person commits extortion putting a person in fear of death or grievous hurt--How the case is dealt with?

18. How the case of cheating is dealt with?

19. If any person trespasses into the house of another person,--Is it an offence--how the matter is dealt with?

20. If any person commits forgery for the purpose of cheating--How the matter is dealt with?

21. If a person commits rape upon a girl/woman against her will--how the matter is dealt with--what is the punishment?

22. If a person commits rape upon a minor girl, how the matter is disposed of? What is the punishment?

23. If any person attempts to commit rape--How the matter is dealt with? Punishment?

24. If any person wrongfully restrains another--Is it an offence? Punishment?

25. If any person wrongfully confines another--Is it an offence?

26. If any person commits murder--how the case is disposed of? Punishment?

27. If any person attempts to commit murder--how the matter is disposed of--punishment.

28. If any person abates another to commit murder--how the matter is disposed--punishment?

CIVIL OFFENCE

1. DEFAMATION :

When out of envy one speaks mockingly of another's physical or intellectual defect or of his financial position or his manner of acting it, in such a case if the offended party appeals to the village authority and demands compensation--how the matter is disposed of? What is the procedure?--example if any.

2. If any one uses offensive words and if the offended party appeals to the village authority--how the case is disposed of and what is the penalty?

3. CALUMNY :

If any person makes false accusation against another and if it is proved--how the matter is disposed? Penalty?

4. PAYMENT OF DEBTS :

If a person dies leaving some debts in that case who is to repay the debt after the death of the person?

5. If a minor boy or girl is given marriage,--is it an offence? If so, how the matter is disposed of?

SUCEESSION

1. Whether vertical succession and parallel succession are in practice in the Riang community?

2. What is the system of succession? Whose presence are required for determination of successors?

3. Is there any tier system for administration of justice--if so, what are those?

4. How the persons are selected for the office of *Rai/ Choudhury* etc.

5. If any office in the tier falls vacant--then how it is filled up?

6. Whether succession is hereditary or by selection from same clan? If selection is made then whether it can be outside the clan?

7. After the death of the father to whom the headship of the family passes on?

8. After the death of the father whether widowed mother can be treated as head of the family?

9. Whether women are entitled to hold any office in the tier system?

WILL

1. Whether transfer of property by way of will is practised in the Riang community?

2. Whether such will is required to be written one or verbal?

3. Whether a female can bequeath her self acquired or personal property by will? Whether the consent of her husband is required for such will?

4. Whether such will can be revoked or altered at any time during the life time of the person making it?

5. Is there any practice among the Riangs to bequeath land with standing crop to the son-in-law?

6. Whether property can be bequeathed to a person of the same clan by a will depriving one's sons and daughters?

7. Whether a person can bequeath his property to another person of another community depriving his sons or daughters by a deed of will?

GIFT

1. Whether the essential elements of gift under the provisions of transfer of property Act, 1982 i.e.

i) Donor must have title over the property to be gifted.

ii) Donor must be mentally sound to make the gift.

iii) There must not be any consideration for the gift.

iv) "The donee must accept the gift".

--are essential for a valid gift under the customary law and usages of the Riangs of Tripura?

2. Whether any property movable or immovable can be disposed of by gift according to Riang Custom?

3. Whether any property acquired by gift can be disposed of?

4. Whether the head of the family can dispose of any property or portion thereof by gift?

5. Whether any male member other than the head of the family can dispose of any portion of the joint property by gift?

6. Whether a female member is competent to make any gift of her personal property e.g. personal ornaments received from her parents?

7. Whether a female can make gift or those articlies/ornaments received from the husband's side at the time of her marriage?

SALE

1. What is the concept of sale under Riang customs? Is it an absolute transfer of all rights in the property sold?

2. Whether a property can be sold to a person of different tribal community?

3. Whether physical possession of the object of sale is a pre-requisite?

4. Whether any witness is required for affecting a sale?

5. Who is competent to sell any family property?

6. What changes have taken place in the concept of sale in society?

LEASE

1. What is the concept of lease under Riang customs? Whether various essentials of lease e.g. (i) Lease from year to year or for any term exceeding one year, (ii) for reserving a yearly rent, (iii) registration of instrument--are necessary under the tribal customary law?

2. In modern society what changes have taken place in the concept of lease?

3. Whether a leasee is allowed to sub-let his lease hold?

MORTGAGE

1. What is the concept of mortgage under Riang Customary law?

2. Whether mortgage of property is a traditional institution of the Riangs?

3. Whether any property can be mortgaged? Can gun, jhumland be mortgaged?

4. How a mortgage is satisfied in the event of default on the part of the mortgageor?

5. Whether presence of any witness is necessary for affecting mortgage?

6. Whether a mortgaged land/house can be sold out by the mortages to another person?

ADMINISTRATIVE AUTHORITY

1. What was the traditional Administrative Authority in th Riang society? What was the constitution of the Administrative Authority? What were its functions?

2. Is the traditional Administrative Authority still in existance in the Riang Society,--If so, is there any differce between the traditional and modern one?

THE MENACE OF WITCHCRAFT

1. What is the concept about witchcraft in the Riang community?

2. How does a Riang girl become witch?

3. What are the characteristics of witches?

4. What are the accepted methods of punishing the witch and ending her dreaded career?

5. Among santal the witches lose all tenderness. When they are angry, they eat their children, parents or relatives and they do not have any pity even for their own husbands. They eat them also. Whether these happen among the witches in the Riang community?

6. Is there any ritual of meeting among the witches? If so, where and what days at what times it takes place?

7. Is witchcraft a menace to the society? If so, What is the cure?

LOAN

1. Whether taking or giving of loan is in practice in the Riang society? If so, whether it is in cash or kind?

2. Whether money lending is in practice? Is it a profit making business among the Riangs? Is it approved by the village council?

3. How loan interest is calculated? Is it compound interest?

4. If the borrower fails to re-pay the loan amount how the matter is dealt with?

5. Is there any provision prevailing in the society for repayment of loan amount through exchange of personal labour?

6. Is there any system of bonded labour in their society?

ADMINISTRATION OF JUSTICE

1. Generally tribal hamlets (village) are named after the name

of the respective headman who is in charge of the administration of the hamlet--Is it in practice in the Riang society?

2. What are powers and privileges of the headman within the hamlet?

3. What are ordeals (tests) while disposing civil and criminal matters by the village council?

4. Whether ordeals differ from offence to offence?

5. Whether the decision/verdict of the village council is final? Is there any appellate forum against the verdict of the village council?

6. What is the procedure for seeking justice?

7. If any person refuses to obey the decision of the village council in that case what measures are taken against that person?

8. Whether the punishments that are inflicted are inflicted by the village council are reformative or retaliative in character?

9. Whether the fine is fixed one or it differs from offence to offence or on the sweet will of the village council?

10. Whether the fine money realised is distributed among the members of the village council? If so, what is the proportion?

11. Whether the offended person gets any share from fine money?

12. What is the number of members of the village council?

13. Whether the Riang people are interested to adhere to their traditional administrative system of justice or to the modern judicial system or modification of their traditional system so as to keep peace with the changing circumstances?

14. Who was the head at the village level administration and by whom he was assisted?

15. Who are the officals in the administrative authority?

16. What are the different clans necessary in the formation of administrative authority?

17. Whether the office bearers are selected or elected? And what are their duties?

18. What are the qualification for holding different offices?

19. Whether the Chief (*Kas Kau*) can be replaced at any any time? If so, under what circumstances?

APPENDIX-III
ATTESTING AUTHORITIES

Place of interview/ attestation	Date of interview attestation	Name	Age	Attesting Riang Profession	Remarks
1. Jogendra Riang Para of East Betchara under Kailashahar Sub-Division of North Tripura District	July, 8-10 1993	Chandrasing Riang	60	Cultivation	He is head of family consisting of nine members
2. -do-	-do-	Smt. Jabinrung Riang	54	House wife & Cultivation	She is the wife of Chandrasing Riang
3. -do-	-do-	Vaktiram Riang	29	Govt. Service	He read upto class XI.
4. -do-	-do-	Smt. Khumi Darlong	27	House wife & Cultivation	She is the wife of Vaktiram Riang. It is a case of inter-tribal marriage. She read upto class X.
5. -do-	-do-	Smt. Mombati Riang	57	Cultivation	She is a widow & she is now head of her family consisting of nine members

6. -do-	-do-	Maniram Riang	65	Cultivation	He is the head of his family consisting of five members.
7. -do-	-do-	Smt. Mohanti Riang	63	House wife & Cultivation	She is the wife of Maniram Riang.
8. JogendrÄ Riang Para & East Betchara under Fatikroy Police Station of North Tripura	July 8-10 1993	Jyosna Riang	38	Day labour	He belongs to Mog community and had been residing at Amarpur, but in the year 1980 he settled in the present habitat after marriage with chakslongti Riang and adopted the Riang title.
9. -do-	-do-	Nilchanda Riang	55	Cultivation	He is the present Chaudhury of the hamlet. He is the son of the elder brother of Jogendra Riang in whose name the hamlet has been named. Formerly Jogendra Riang was the Chaudhury of this hamlet and he died in the year 1986.

10. -do-	-do-	Hadoiram Riang	36	Cultivation	He is the eldest brother as well as head of joint family consisting of four males and four female members.
11. -do-	-do-	Dastaram Riang	32	Govt. Service	He is the younger brother of Hadoiram Riang. He is a Commerce Graduate and now serving at Kailashahar S. D. O. Office.
12. -do-	-do-	Turkajoy Riang	48	Cultivation	He is the head of the family which is very large sized consisting of 13 members. It is a joint family.
13. Shib Bari Para of Chini Bagan under Kailashahar Sub-Division of North Tripura district. This Riang colony established under primitive group programme in the year 1982-83. At present there are 55 families.	August 15-17 1993	Nepaljoy Riang	30	Jhum Cultivation	He is the head of the family consisting of five members.

14. -do-	-do-	Kebaljoy Riang	50	Both Jhum and plough cultivation	He is the head of the family consisting of four members.
15. -do-	-do-	Kalamjoy Riang	35	Jhum Cultivation	He is the head of this family consisting of four members.
16. -do-	-do-	Smt. Faleti Riang	32	-do-	She is the wife of Kalamjoy Riang.
17. -do-	-do-	Satiram Riang	40	-do-	He is the head of his family consisting of eight members
18. -do-	-do-	NilKanta Riang	35	Dependent	He is blind man of another family and now dependent upon the family.
19. Shib bari Para of chini Bagan under Kailashahar Sub-Division of North Tripura district. This Riang colony established under primitive group programme in the year 1982-83. At present there are 55 families.	August 15-17 1993	Smt. Monaiti Riang	45	Jhum Cultivation	She is a widow of late Ubajoy Riang. After the death of her husband she is now head of the family consisting of one minor son & one minor daughter.

20. -do-	-do-	Ubaram Riang	45	-do-	He is the head of the family consisting of five members.
21. -do-	-do-	Smt. Bichirung Riang	70	Dependent	She is the mother of Ubaram Riang and dependent on her son.
22. -do-	-do-	Baijala Riang	47	Jhum Cultivation	He is the head of his family consisting of five members
23. -do-	-do-	Smt. Satirung Riang	72	Dependent	She is the mother of Baijala Riang and now dependent on her son.
24. -do-	-do-	Chandangla Riang	46	Jhum Cultivation	He is the head of his family consisting of seven members.
25. -do-	-do-	Rangati Riang	40	-do-	Wife of Chadangla Riang
26. -do-	-do-	Batapi Riang	27	-do-	He is the head of the family consisting of three members.
27. -do-	-do-	Smt. Charbati Riang	25	-do-	She is the wife of Batapi Riang

28. -do-	-do-	Sanbardu Riang	42	-do-	He is the head of the family consisting of four members.
29. -do-	-do-	Smt. Saptarung Riang	39	-do-	She is the wife of Sanbardu Riang
30. -do-	-do-	Smt. Krishnati Riang	70	Dependent	She is the mother of Sanbardu Riang and she is dependent on her son.
31. -do-	-do-	Bamachandra Riang	45	Jhum Cultivation	He is the head of the family consisting of seven members.
32. -do-	-do-	Smt. Tinchorung Riang	38	-do-	She is the wife of Bamachandra Riang.
33. Shib bari Para of Chini Bagan under Kailashahar Sub-Division of North Tripura district. This Riang colony established under primitive group programme in the year 1982-83. At present there are 55 families.	August 15-17 1993	Sukhiram Riang	52	Jhum Cultivation	He is the head of the family consisting of five members.

34. -do-	-do-	Smt. Badrung Riang	47	-do-	She is the wife of Sukhuram Riang
35. -do-	-do-	Dhansarai Riang	25	-do-	He is the eldest son of Sukram and read upto class-V.
36. -do-	-do-	Bikramjoy Riang	37	-do-	He is the head of the family consisting of eight members.
37. -do-	-do-	Smt. Jantrung Riang	35	-do-	She is the wife of Bikramjoy Riang.
38. -do-	-do-	Smt. Urati Riang	35	-do-	She is the widow of late Chaumarai Riang. Now she is the head of the family consisting of one minor son and one minor daughter.
39. -do-	-do-	Mangal Riang	39	-do-	He is the head of the family consisting of seven members.

40. Shibbari Para of Chini Bagan under Kailashahar Sub-Division of North Tripura District. This Riang Colony established under primitive group programme in the 1982 -83. At present there are 55 families.	August 15-17 1993	Rankesh Riang	38	Jhum	He is the head of his family consisting of five members.
41. -do-	-do-	Uttamjoy Riang	27	-do-	He is the head of his family consisting of four members.
42. -do-	-do-	Smt. Matarun Riang	25	-do-	She is the wife of Uttamjoy Riang.
43. -do-	-do-	Bacharmha Riang	45	-do-	He is the head of his family consisting of five members.
44. -do-	-do-	Indrajoy Riang	55	-do-	He is the head of his family consisting of nine members.
45. -do-	-do-	Smt. Tamamti Riang	62	-do-	She is the widow of Late Bahanjoy Riang. Now she resides with her married son.

46. Sadhu Chandra Riang Chaudhury para under Fatikroy Police Station of North Tripura District. (This village was named after former Chaudhury late Sadhu Chandra Riang, who died in the year 1980).	October 7-9 1993	Surendra Riang	68	Cultivation	He is the son of Late Sadhu Chandra Riang and after the death of his father the became the the Chaudhury of this village
47. -do-	-do-	Chandrana Riang	74	-do-	He is the head of the family consisting of his wife, married son, un-marrried daughter & his daughter-in-law.
48. -do-	-do-	Smt. Nandirung Riang	64	-do-	She is the wife of Chandrana Riang
49. -do-	-do-	Smt. Nityarung Riang	27	-do-	She is the daughter of Chandrana Riang
50. -do-	-do-	Smt. Uday Riang	24	-do-	He is the son of Chandrana Riang.

51. -do-	-do-	Smt. Itarung Riang	22	-do-	She is the wife of Uday Riang
52. -do-	-do-	Smt. Rasabati Riang	54	-do-	She is the wife of Surendra Riang
53. -do-	-do-	Khambar Riang	31	-do-	He is the son of Surendra Riang
54. -od-	-do-	Helanjoy Riang	29	-do-	He is the son of Surendra Riang
55. Sadhu Chandra Riang Chaudhury para under Fatikroy Police Station of North Tripura District. (This village was named after former Chaudhury late Sadhu Chandra Riang who died in the year 1980.)	October 7-9, 1993	Jogendra Riang	53	-do-	He is the head of the family consisting of his wife and son.

56. -do-	-do-	Smt. Turpini Riang	44	-do-	She is the wife of Jogendra Riang
57. -do-	-do-	Arun Riang	24	-do-	He is the son of Jogendra Riang
58. -do-	-do-	Tirtha Chandra Riang	83	Dependent	He is now dependent on his son Bikram Riang.
59. -do-	-do-	Smt. Banchirung Riang	80	-do-	She is the wife of Tirtha Chandra Riang and now dependent on her son Bikram Riang.
60. -do-	-do-	Bikram Riang	40	Cultivation	He is the son of Tirtha Chandra Riang
61. Ramani Riang Chaudhury para of Manu Police Station under Longtarai Sub-Division of Dhalai District. (The total population of this village including the children is only 150 and the village is named after its Choudhury Ramani Riang.	Nov. 27-29 1993	Ramani Riang	65	Cultivation	He is the Choudhury of this village.

62. -do-	-do-	Smt. Padmabati Riang	58	House wife	She is the wife of Ramani Riang
63. -do-	-do-	Kinacharan Riang	41	Cultivation	He is the son of Ramani Riang
64. -do-	-do-	Smt. Lalbiyaki Riang	30	House wife	She is the wife of Kinacharan Riang
65. -do-	-do-	Rabindra Riang	25	Govt. Service	He is the son of Ramani Riang (Chaudhury)
66. -do-	-do-	Nabadeep Riang	32	Cultivation	He is the son of Ramani Riang (Chaudhury)
67. -do-	-do-	Rangachand Riang	55	-do-	He is the head of his family consisting of three members.
68. -do-	-do-	Singbangha Riang	45	Govt. Service	He is the head of his family consisting of three members.
69. -do-	-do-	Debasingha Riang	57	Cultivation	He is the head of his family consisting of five members.

70. Amarpur, South Tripura	Nov 7, 8 1994	Rambahadur Riang (Bailafa) of Tuisarangjaouh (Sona charra) of South Tripura	80	Cultivation	He is well conversant about the costoms and traditions of their community.
71. -do-	-do-	Keromchi Riang of Tangtaiya para of Tuirbuha under Amarpur of South Tripura	80	-do-	-do-
72. -do-	-do-	Gamanjoy Riang of Tuisarangjaouth (Sona Charra)	55	-do-	He is the Chaudhury of the village
73. -do-	-do-	Debendra Riang of Sona Charra	70	-do-	He is well conversant about the customs & traditions of their community.
74. -do-	-do-	Bishnura Riang (Pramilafa) of Tuisarangjaouh (Sona Charra)	70	-do-	-do-

75. Santir bazar South Tripura	July 9th of 1995	Ramprasad Riang of Tuikorma para of Manpathar, under Santirbazar P. S. of South Tripura	55	-do-	He is the Chaudhury of the village. He is the son of Khorfa Chaudhury, Ex. M. L. A.
76. -do-	-do-	Janiram Riang of Tuikorma para of Manpathar, under Santirbazar P. S. of South Tripura	33	Govt. Service	At present he is serving Asst. Teacher at Alloycharra Govt. High School, South Tripura
77. -do-	-do-	Surja Kumar Riang of Kathalia Charra under Santirbazar P. S.	50	Cultivation	He is the son of Late Rajprasas Choudhury, Ex.-Minister of Tripura
78. Agartala, West Tripura	Nov 5th	Pancharam Riang of Sona Charra, under Amarpur Sub-Division of South Tripura	25	Govt. Service	He is the General Secretary, BRU Socio-Cultural Organisation.

79. Kailashahar North Tripura	July 7th, 1994	Smt. Padma Chaudhury of Chandipara under Amarpur Sub-Division of South Tripura	50	Govt. Service	She belongs to the Riang community. At present she has been serving as U. D. C. at Kailashahar.
80. -do-	Sept, 30th of 1992	Ramadhar Riang of Birchandra Manu under Belonia Sub-Division of South Tripura	38	Govt. Service	He has beeb serving as U. D. C. at Kailashahar
81. Agartala, West Tripura	Oct, 7th of 1992	Bajuban Riang	55	Minister	At present he is the Agriculture Minister, Govt. of Tripura.
82. Kailashahar, North Tripura	Nov, 10th of 1992	Gitya Kumar Riang of Chinibagan under Kailashahar Sub-Division of North Tripura	37	Govt. Service	He has been serving as Asstt. Teacher at Ramkrishna Siksha Pratisthan (Class XII School) Kailashahar

83. -do-	Aug, 14th of 1993	Asamonjoy Riang	43	-do-	He has been serving as Sub-Inspector of Police at Kailashahar
84. Agartala, Tripura	Feb. 7th 1996	Dr. Kamal Riang M. B. B. S. Birhratan para under Santirbazar P. S. of South Tripura	28	-do-	He has been serving as Medical Officer at Anandabazar P. H. C. of North Tripura. He adopted Christianity in in the year 1985
85. -do-	-do-	Jayanta Riang of Kathalliacharra under Santirbazar P. S. of South Tripura	27	Un-employed	He passed B. E. from Tripura Engineering College in the year 1995
86. -do-	-do-	Sachindra Riang of Durgarai para under Santirbazar P. S. of South Tripura.	33	Govt. Service	He is Kakborak Teacher and serving at a Govt. J. B. School.
87. Santirbazar, South Tripura	Aug, 9th of 1995	Pabitra Riang of Durgabari para under Santirbazar P. S. of South Tripura	42	Business	He has been carrying on business at Manubazar, South Tripura.

88. -do-	-do-	Upendra Riang of Kalacharra under Santirbazar P. S. of South Tripura	32	Govt. Service	He is a Kakborak Teacher
89. -do-	-do-	Debabrata Riang of Kalacharra under Santirbazar P. S. of South Tripura	28	-do-	He is a commerce graduate now serving as Asstt. Teacher at Kalasi Govt. High School, Belonia, South Tripura
90. Agartala, West Tripura	Feb, 24th of 1996	M. L. Riang	50	Govt. Service	At present he is serving as Director of Research, Govt. of Tripura
91. -do-	Feb, 27th of 1996	Prafulla Riang	45	-do-	At present he is serving as feature writer under Deptt. of Tribal Welfare, Govt. of Tripura
92. Kailashahar	Sept, 21	Amulya Riang of 1994	40	-do-	At present he is serving as District Planing Officer, at Kailashahar
93. -do-	-do-	Kshetrajoy Riang	40	-do-	At present he is serving as D. S. P. at Kailashahar

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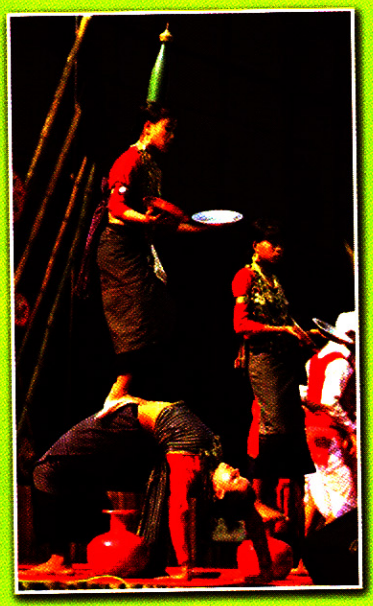

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